38A:21-1 to 38A:21-33, 38A:22-1 to 38A:22-9 et al
LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2025 **CHAPTER:** 139

NJSA: 38A:21-1 to 38A:21-33, 38A:22-1 to 38A:22-9 et al Establishes Department of Veterans Affairs.

BILL NO: S4376 (Substituted for A5520 (1R))

SPONSOR(S) Vitale, Joseph F. and others

DATE INTRODUCED: 3/24/2025

COMMITTEE: **ASSEMBLY:** --

SENATE: Military & Veterans' Affairs
Budget & Appropriations

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** 06/30/2025

SENATE: 06/30/2025

DATE OF APPROVAL: 9/11/2025

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (S4376 Sca (1R) enacted)

ADVANCE LAW Yes

PAMPHLET LAW Yes

S4376

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

REPRINT(S): Yes SLP 6/19/25 1R

TECHNICAL REVIEW OF BILL: No

COMMITTEE STATEMENT: **ASSEMBLY**: No

SENATE: Yes Military & Veterans' Affairs
Budget & Appropriations

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

A5520 (1R)

INTRODUCED BILL: (Includes sponsor(s) statement) Yes

REPRINT(S): Yes AAP 6/19/25 1R

TECHNICAL REVIEW OF BILL: No

COMMITTEE STATEMENT: **ASSEMBLY**: Yes Appropriations

SENATE: No

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, ***may possibly*** be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: Yes

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: Yes

LEGISLATOR STATEMENT: Yes

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or mailto:refdesk@njstatelib.org

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

Allison Pries, 'Murphy signs initiative to help N.J.'s military families - New Jersey is the fourth state to join the effort.',*Star-Ledger, The: Web Edition Articles* (online), 14 Sep 2025 ‹https://infoweb.newsbank.com/apps/news/document-view?p=NewsBank&docref=news/1A31DADE85F86D58›

Brent Johnson, 'What Makes Jersey Run: The burning questions in the big governor's race with two months to go - "The race is gonna be close," one blue team insider told me. "It's anybody's game," a red teamer said.', *Star-Ledger, The: Web Edition Articles* (online), 13 Sep 2025 ‹https://infoweb.newsbank.com/apps/news/document-view?p=NewsBank&docref=news/1A31767BAA7216C0›

Matthew Fazelpoor, 'Murphy creates NJ Department of Veterans Affairs', *NJBIZ* (online), 12 Sep 2025‹https://infoweb.newsbank.com/apps/news/document-view?p=NewsBank&docref=news/1A32E9ED66F71518›

CL/MMcB

Title 38A.
Subtitle 3. (new)
Veterans Affairs
Chapter 21. (new)
Department of
Veterans Affairs
§§1-5, 68, 69,
6-22, 52-57,
63-65
N.J.S.38A:21-1
to 38A:21-33
Chapter 22. (new)
Programs of
Support
§§43-51
N.J.S.38A:22-1
to 38A:22-9
Chapter 23. (new)
Veterans'
Facilities
and Cemeteries
§§23-42
N.J.S.38A:23-1
to 38A:23-20
Chapter 24. (new)
Service Awards
and Recognitions
§§66, 67
N.J.S.38A:24-1
and 38A:24-2
Chapter 25. (new)
Deceased Service
Member –
Gold Star
Families
§§58-62
N.J.S.38A:25-1
to 38A:25-5
§§99
Repealer
§§100
Note

P.L. 2025, CHAPTER 139, ***approved September 11, 2025***
Senate, No. 4376 ***(First Reprint)***

AN ACT establishing a new Department of Veterans Affairs in the Executive Branch of State government, creating a new Title 38B

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:
[1]Senate SMV committee amendments adopted June 19, 2025.

of the New Jersey Statutes, amending various parts of the statutory law, and repealing various statutes.

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

1. (New section) This act, P.L. , c. (C.)(pending before the Legislature as this bill), shall be known and may be cited as the "New Jersey Department of Veterans Affairs Act."

2. (New section) There is established in the Executive Branch of the State government a principal department which shall be known as the Department of Veterans Affairs.

3. (New section) As used in this act, P.L. , c. (C.)(pending before the Legislature as this bill):

"Commissioner" means the Commissioner of the Department of Veterans Affairs;

"Department" means the Department of Veterans Affairs established pursuant to this act; and

"Veteran" means any person who has served in any branch of the Armed Forces of the United States for at least 90 days, except that if the term "veteran" is defined differently in any other provision of this act, any other statute, or in any federal statute, that definition shall be applicable for the purposes of those statutes.

4. (New section) The administrator and head of the department shall be a commissioner, who shall be known as the Commissioner of the Department of Veterans Affairs, and who shall be an honorably discharged veteran qualified by training and experience to perform the duties of the office. The commissioner shall be appointed by the Governor with the advice and consent of the Senate and shall serve at the pleasure of the Governor during the Governor's term of office and until the appointment and qualification of the commissioner's successor. The entire time of the commissioner shall be devoted to the duties of the office and the commissioner shall receive such salary as shall be provided by law. Any vacancy occurring in the office of the commissioner shall be filled in the same manner as the original appointment.

5. (New section) The commissioner, as head of the department, shall have all of the functions, powers, and duties heretofore vested in the Administrator of Veterans Affairs of the Department of Military and Veterans' Affairs, previously designated in N.J.S.38A:3-2, and shall, in addition to the functions, powers, and duties vested in the commissioner by this act, P.L. , c. (C.)(pending before the Legislature as this bill), or by any other law, which are as follows:

a. Administer the work of the department;

b. Appoint and remove officers and other personnel employed within the department, subject to the provisions of Title 11A of the New Jersey Statutes and other applicable statutes, except as herein otherwise specifically provided;

c. Have authority to organize and maintain an administrative division and to assign to employment therein secretarial, clerical and other assistants in the department’s or the commissioner's office as the internal operations of the department may require, in accordance with Title 11A of the New Jersey Statutes;

d. Perform, exercise, and discharge the functions, powers, and duties of the department through such divisions as may be established by this act or otherwise by law;

e. 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 commissioner may determine to be necessary for efficient and effective operation;

f. 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 as may be necessary to implement this act or as may be authorized by law;

g. Formulate and adopt rules and regulations for the efficient conduct of the work and general administration of the department, its officers, and its employees;

h. Institute, or cause to be instituted, legal proceedings or processes as may be necessary to properly enforce and give effect to any of the commissioner's powers or duties;

i. Coordinate the activities of the department, and the other divisions and agencies therein, in a manner designed to eliminate overlapping and duplicative functions;

j. Integrate within the department, so far as practicable, all staff services of the department and of the other divisions and agencies therein;

k. Have access to all relevant files and records of other State agencies and require any officer or employee therein to provide information as necessary to assist in performing the functions of the department, subject to any privacy laws;

l. Maintain suitable headquarters for the department and such other quarters as the commissioner shall deem necessary to the proper functioning of the department;

m. Encourage and facilitate the registration of each service member residing in New Jersey with the United States Department of Veterans Affairs, or its successor agency. Registration shall take place, as appropriate, when the service member returns from deployment on federal active duty, or is discharged, or as soon as possible thereafter. The term "service member" shall mean members of the New Jersey National Guard and members of the United States Armed Forces, or a Reserve component thereof, when

the information on each member is made available to the department;

n. Develop and coordinate a volunteer-based program comprised of former service members to assist and mentor veterans who become involved with the criminal justice system, while criminal proceedings are pending and afterward, with accessing assistance to resolve the underlying problems that led or contributed to the veteran's involvement with the criminal justice system including, but not limited to, offering support and guidance, securing housing, employment linkages, job training, education, transportation, disability compensation claims, discharge status, health care, and other linkages available at the local, State, and federal level that can ease the challenge of reentry into civilian life. In addition, the commissioner shall develop a registry of volunteer mentors and make the registry available pursuant to P.L.2017, c.42 (C.2C:43-23 et al.);

o. Prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.);

p. Create a comprehensive public webpage for Gold Star family members that includes, but is not limited to, the following information: State benefits; State and county liaisons; a list of service members from New Jersey killed in action; links to other Gold Star family organizations; and such other information and resources as the commissioner deems necessary and beneficial to a Gold Star family member. A "Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States;

q. Maintain a regional network of Veteran Service Offices to assist veterans and their dependents with information and guidance in filing claims and to assist with employment, education, burial, counseling, housing, social and medical services, and other areas of concern to veterans and their families, as well as provide advice and support to veterans re-entering civilian life; and

r. Perform such other functions as may be prescribed in this act or by any other law.

6. (New section) The commissioner shall appoint at least one deputy commissioner who shall be designated to perform all of the powers, functions, and duties of the commissioner during the absence or disability of the commissioner, and who shall perform such other duties as are assigned by the commissioner. The deputy commissioner shall be an honorably discharged veteran qualified by training and experience to perform the duties of the office.

7. (New section) The Department of Veterans Affairs, through its regional network of Veteran Service Offices, shall establish a financial planning assistance program for disabled veterans and their caregivers. The purpose of the program shall be to assist disabled veterans and their caregivers with planning for the financial burdens that may arise when a veteran is disabled and needs assistance with daily care and activities including, but not limited to, bathing, dressing, meal preparation, assistance with mobility, housekeeping, shopping, and driving or transportation.

"Caregiver" means a spouse, parent, child, relative or other person who is 18 years of age or older and who has the primary responsibility of providing daily care for the eligible veteran.

"Disabled veteran" means any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service in any branch of the Armed Forces of the United States, a Reserve component thereof, or the National Guard and who has been or shall be declared by the United States Department of Veterans Affairs, or its successor, to have a service-connected disability.

8. (New section) The commissioner may apply for and accept on behalf of the State any grants from the federal government or any agency thereof, or from any foundation, corporation, association, or individual, and may comply with the terms, conditions, and limitations thereof, for any purposes of the department. Any money so received may be expended by the department, subject to any limitations imposed in such grants, to effect any of the purposes of the department, as the case may be, upon warrant of the Director of the Division of Budget and Accounting in the Department of the Treasury on vouchers certified and approved by the commissioner. The power herein granted shall be in addition to, and shall in no way limit the authority granted to the commissioner by, this act, P.L. , c. (C.)(pending before the Legislature as this bill), or any other existing law.

9. (New section) The department shall administer the following principal functions:

a. The supervision and operation of State veterans' memorial homes and cemeteries;

b. The supervision and operation of the liaison office and the field offices which serve the federal Veterans' Affairs Medical Centers;

c. The application for federal grants and programs;

d. The administration of federally-funded training and rehabilitation programs; and

e. The provision of current information to the general public on State and federal veterans' programs and benefits.

Nothing in this section shall be construed as affecting or derogating from any provision of law giving functions, powers, and

duties in these areas to other departments or agencies or as giving additional functions, powers, and duties to the commissioner or the department.

10. (New section) The Commissioner of the Department of Veterans Affairs shall determine whether any person seeking to be considered a "veteran" or a "disabled veteran" under N.J.S.11A:5-1, N.J.S.18A:66-2, section 6 of P.L.1954, c.84 (C.43:15A-6) or section 1 of P.L.1983, c.391 (C.43:16A-11.7), meets the criteria set forth therein and shall be considered a veteran or disabled veteran, as appropriate, for the purposes of these laws. The commissioner shall adjudicate an appeal from any person disputing the decision of the commissioner as to whether a person is to be considered a veteran or disabled veteran, as appropriate, for the purposes of these laws. The commissioner shall promptly notify the public entity responsible for administering each such law of the determination of the commissioner, and the determination shall be binding on such public entities.

[1][References in sections 4, 5, and 6 of P.L.2000, c.127 (C.18A:66-2.2, 43:15A-6.1, and 43:16A-11.7a) to the Adjutant General of the Department of Military and Veterans' Affairs shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs.]**[1]**

11. (New section) The personnel of the Department of Veterans Affairs shall consist of the following classes of employees:

a. Classified civil service employees.

b. Unclassified civil service employees, who may be relieved, suspended, or discharged for good cause. Such personnel shall be administered as far as practicable under similar regulations as those applicable to classified civil service.

12. (New section) a. The department shall submit its annual budget request directly to the Governor and the State Treasurer.

b. The commissioner may demand and receive, for the services of the department, except for establishment of veteran status, such fees as the commissioner shall determine. The commissioner shall keep a true record and account of fees received on behalf of the department pursuant to this section and shall pay the same into the State Treasury in the manner prescribed by law.

13. (New section) The commissioner shall have an appropriate seal and have affixed an impression of the same to all certificates of record issued from the Department of Veterans Affairs. Copies of any books, records, papers, and documents in the Department of Veterans Affairs certified by the commissioner or other designated officer of the department, under seal of the Department of Veterans Affairs, shall be admitted as evidence in any court of the State, either civil or military, with the same force and effect as if the original had been produced.

14. (New section) The department, through its divisions, shall administer veteran:

a. administrative services;

b. loans, grants, and services; and

c. training, information, and referrals.

15. (New section) a. A director of a division in the department shall receive such salary as may be established by the commissioner with the approval of the Civil Service Commission and the Director of the Division of Budget and Accounting in the Department of the Treasury.

b. In the event that a director is appointed from persons holding positions in the career service of the State, the director shall retain, during tenure in such position, any rights or protections provided to that person by Title 11A, Civil Service, of the New Jersey Statutes or any pension law or retirement system.

16. (New section) The department, through its divisions, shall:

a. supervise and operate all New Jersey Veterans' Memorial Homes, including: the New Jersey Veterans' Memorial Home-Menlo Park; the New Jersey Veterans' Memorial Home-Vineland; and the New Jersey Veterans' Memorial Home-Paramus;

b. supervise and operate all New Jersey Veterans' Memorial Cemeteries, including the New Jersey Veterans' Memorial Cemetery in Arneytown; and

c. supervise and operate all veterans' homeless shelter facilities owned by the State, including Veterans Haven North and Veterans Haven South.

17. (New section) Any division established or created by the commissioner shall be under the immediate supervision of a director who shall be qualified by training and experience to direct the work of the division. Preference shall be given to honorably discharged veterans qualified by training and experience to perform the duties of the division. The director shall be appointed by the commissioner, and shall serve at the pleasure of the commissioner.

18. (New section) a. As a condition of employment as a direct care staff member at a New Jersey veterans' memorial home, an applicant for employment shall consent to and undergo drug testing for controlled dangerous substances as provided in subsection f. of this section. The drug testing shall be at the expense of the applicant.

If a person applying for employment at a New Jersey veterans memorial home on or after April 16, 2020 tests positive for the unlawful use of any controlled dangerous substance, or refuses to submit to drug testing, the person shall be removed from consideration for employment.

b. A person who is employed at a New Jersey veterans' memorial home as a direct care staff member shall be subject to random drug testing for controlled dangerous substances performed at such intervals as the commissioner deems appropriate. The commissioner shall annually perform random drug tests on 100 direct care staff members.

c. A person who is employed at a New Jersey veterans' memorial home as a direct care staff member may be required to undergo drug testing for controlled dangerous substances if the employee's immediate supervisor has reasonable suspicion to believe that the employee is illegally using a controlled dangerous substance, based on the employee's visible impairment or professional misconduct, which relates adversely to patient care or safety. The supervisor shall report this information to the immediate supervisor in a form and manner specified by the commissioner, and if the supervisor concurs that there is reasonable suspicion to believe that an employee is illegally using a controlled dangerous substance, that supervisor shall notify the chief executive officer of the New Jersey veterans' memorial home, or other executive level officer of the veterans' memorial home designated by the commissioner, and request approval in writing for ordering the employee to undergo drug testing. Drug testing of an employee shall not be ordered without the written approval of the chief executive officer or other executive level officer designated by the commissioner.

d. An employee who tests positive for the unlawful use of any controlled dangerous substance may be referred to employee advisory services, or terminated from employment, as applicable, based on the employee's job title. An employee who refuses to submit to drug testing shall be terminated from employment. In all cases, however, the employee shall retain any available right of review by the Civil Service Commission.

e. The drug testing required pursuant to subsections b. and c. of this section shall be at the expense of the Department of Veterans Affairs.

f. Drug testing shall be performed by an outside drug testing facility in a manner prescribed by the commissioner.

g. The commissioner shall notify all affected employees of New Jersey veterans' memorial homes of the provisions of this section.

h. As used in this section, "direct care staff member" means a: Human Services Technician; Human Services Assistant; physician; psychiatrist; dentist; psychologist; nurse; nurse assistant; physical, occupational, or speech therapist; social worker; and any other staff member employed by a veterans memorial home who provides direct care to a resident at the facility, as determined by the commissioner.

i. Pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the commissioner shall adopt rules and

regulations necessary to effectuate the purposes of this section, including, but not limited to, those rules and regulations necessary to ensure the confidentiality of the person undergoing drug testing, and that drug test results are not reported to law enforcement authorities.

19. (New section) The department shall establish a program to oversee the transfer of the remains of veterans from paupers' or potters' cemeteries to the Brigadier General William C. Doyle Veterans' Memorial Cemetery at the request of the veterans' next-of-kin, friends, or fellow veterans. This service shall be provided without cost to the requester. As part of this program, the department shall also inform the general public that this service is available and explain the procedure for requesting that the remains be transferred to the Brigadier General William C. Doyle Veterans' Memorial Cemetery.

20. (New section) a. A funeral director, licensed pursuant to P.L.1952, c.340 (C.45:7-32 et seq.), shall grant a qualified veterans' organization, as defined in subsection b. of section 2 of P.L.1983, c.385 (C.26:7-18.2), the right to receive the cremains of a veteran, or the cremains of an eligible spouse or eligible dependent of a veteran, which have not been claimed by a relative or friend of the deceased within one year after cremation upon certification, to the satisfaction of the Commissioner of Health, that a diligent effort, as defined in subsection a. of section 2 of P.L.1983, c.385 (C.26:7-18.2), has been made to identify, locate, and notify a relative or friend of the deceased within that one-year period, as provided under section 2 of P.L.1983, c.385 (C.26:7-18.2).

A qualified veterans' organization which takes possession of cremains pursuant to this section shall dispose of the cremains by scattering them at sea or by interring them on land in a dignified manner at the State-operated Brigadier General William C. Doyle Veterans' Memorial Cemetery, a State-operated veterans' memorial cemetery, a national veterans' memorial cemetery, or a local veterans memorial cemetery, if the individual is eligible for interment at those facilities.

b. A funeral home or mortuary, or an agent of the funeral home or mortuary, a funeral director, or a qualified veterans' organization shall not be liable for damages in any civil action arising out of the disposal of cremains pursuant to this section unless the damages are the result of gross negligence or willful misconduct.

21. (New section) The department, through its divisions, shall:

a. administer the Blind Veterans' Allowance Program established pursuant to R.S.38:18-1 et seq.;

b. administer the Paraplegic and Hemiplegic Allowance Program established pursuant to P.L.1947, c.263 (C.38:18A-1 et seq.);

c. maintain a continuous liaison with the Association of Blind Veterans and other similar State and national veterans' associations and organizations;

d. provide all necessary assistance to the Agent Orange Commission upon request;

e. administer the veterans' loan authority established pursuant to P.L.1944, c.126 (C.38:23B-1 et seq.);

f. supervise and operate the liaison and field offices which serve the federal Veterans' Administration Centers at Lyons and East Orange;

g. compete for all grants, private and federal, that would fund programs to benefit the State's veterans and their dependents; and

h. administer State tuition assistance programs for veterans and their dependents established pursuant to the provisions of chapter 71 of Title 18A of the New Jersey Statutes.

22. (New section) The department, through its divisions, shall:

a. administer the operations of the Vietnam Veterans' Outreach Program;

b. administer all federal and State training and rehabilitation programs not administered by other State departments;

c. provide current information to the general public on federal and State veterans' programs and benefits; and

d. provide a continuous liaison between the department, the Department of Education, and the Office of the Secretary of Higher Education to insure that veterans or their dependents seeking to apply for educational programs for veterans or their dependents are referred to the appropriate State office and provided with the information, forms, and assistance necessary to apply for those programs.

23. (New section) a. As used in this section and sections 24 through 36, inclusive, of this act, P.L. , c. (C.)(pending before the Legislature as this bill):

"Advisory council" means the advisory council of a veterans' facility.

"Member" means a person admitted to and receiving care in a veterans' facility.

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

"Veterans' facility" means any home, institution, hospital, or part thereof, the admission to which is under the jurisdiction of the United States Department of Veterans Affairs.

b. Subject to the provisions of this section, the Commissioner of the Department of Veterans Affairs shall be authorized, directed, and empowered to take such actions, and to issue such reasonable rules and regulations, as may be necessary for carrying out the purposes of sections 24 through 36, inclusive, of this act, including specifically to:

(1) provide standards and procedures for the application and determination of eligibility for admission to veterans' facilities;

(2) establish standards and methods for designating the veterans' facility in which an eligible person shall receive care and treatment consistent with available services and individual needs and circumstances;

(3) establish standards of care, treatment, and discipline governing the relationships between the veterans' facilities and persons admitted thereto consistent with and subject to State and federal rules, regulations, and standards of care;

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

(5) negotiate and enter into agreements or contracts with the Veterans Administration or any other appropriate State or federal agency, and to organize the work of the veterans' facilities, giving due regard to the opinion of the advisory councils, in any manner consistent with law to comply with the reasonable requirements of such State and federal agencies, in order to secure the maximum financial assistance and services for carrying out the purposes of sections 24 through 36, inclusive, of this act.

24. (New section) All applications for admission to a veterans' facility shall be made to, and in the manner and form prescribed by, the commissioner. The applicant shall provide a statement that the applicant will accept placement in the facility designated by the commissioner and will abide by the rules, regulations, and discipline of the facility to which the applicant is admitted.

25. (New section) The following persons, if they are without sufficient financial ability to provide for their support and necessary care in the community, may be admitted to a veterans' facility:

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

b. The spouse of any person who has been admitted to a veterans' facility, provided that the spouse is not less than 50 years of age and has been married to such person for a period of not less than 10 years;

c. The surviving spouse of a person who died an honorable death while in the active military service of the United States, or who was a disabled veteran at the time of death, provided that the surviving spouse was the person's spouse at the time of the person's service or was married to the person not less than 10 years prior to the date of application and has not married since the person's death,

and provided that the surviving spouse has been a resident of New Jersey for at least two years prior to the date of application; and

d. The parent of a person who was a resident of New Jersey at the time of entry into, and who died an honorable death in time of war or emergency while in, the active military service of the United States, provided that the parent has been a resident of New Jersey for at least two years prior to the date of application.

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

26. (New section) Any disabled veteran who is in distress may be admitted to a veterans' facility for a temporary period in accordance with the rules and regulations promulgated by the commissioner.

27. (New section) A person admitted to a veterans' facility shall be entitled to all of its benefits and be furnished with the clothing, subsistence, medical and surgical attendance necessary to promote the person’s health and welfare in accordance with the rules and regulations of the commissioner.

28. (New section) Any person may be removed from a veterans' facility on being restored the ability to promote the person’s own support and welfare in the community, for immorality, for fraud or willful misrepresentation, or for refusal to abide by the rules, regulations, and discipline of the veterans' facility.

29. (New section) The commissioner may from time to time request that the commissioner of the department overseeing psychiatric hospitals designate any State hospital for the care of the mentally ill, or a part thereof, as a treatment unit for veterans who require such care and who are eligible for admission to a veterans' facility. Upon making such designation, the commissioner of the appropriate department shall cause to be filed with the Commissioner of the Department of Veterans Affairs and the Secretary of State a certificate setting forth the fact thereof, a description of the precise treatment unit so designated, and its location.

30. (New section) Admission of a veteran to a treatment unit as designated pursuant to section 29 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), shall require:

a. a determination by the appropriate department that such veteran is mentally ill in accordance with the appropriate provisions of Title 30 of the Revised Statutes; and

b. a determination by the Commissioner of the Department of Veterans Affairs that such veteran is eligible for admission to a veterans' facility.

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

31. (New section) The commissioner shall be authorized and empowered to accept and receive funds from the United States Government or any agency thereof, and to accept and receive payments from all members, and their family, relatives, and friends towards the cost of care and treatment as provided in the rules and regulations pertaining thereto.

32. (New section) a. Except in the case of an emergency condition, the commissioner shall not implement a decision to close an existing veterans' facility or to privatize any services, functions, or units of an existing facility if the commissioner finds that the decision shall result in the abolition of 100 or more non-vacant, full-time positions in the career service at the existing facility or facilities affected by the decision, unless the commissioner has complied with the procedures set forth in this section.

b. The commissioner shall conduct at least one public hearing, which shall be held in the region in which the facility is located, or a central location designated by the commissioner if more than one facility is affected by the decision, to provide an opportunity for the public to submit testimony on the proposed closing or privatization. The hearing shall be conducted at least 45 days in advance of a facility closure, or at least 30 days prior to the issuance of a Request for Proposal. For a facility closure, the public hearing shall be held within 15 days of publication of a Notice of Intent to close a facility by the commissioner. The commissioner shall select a publicly convenient location for the hearing and shall give all persons the opportunity to testify in person or to submit written testimony.

c. The Notice of Intent to close a facility shall be mailed, telephoned, telegrammed, or hand delivered to at least two newspapers for publication, at least one of which shall be within the geographic boundaries of the county where the facility is located. Failure to comply with the requirements of this subsection shall not invalidate or delay any facility closure.

d. The commissioner shall prepare a report setting forth a fiscal impact analysis, policy rationale, and summary of the testimony received at any hearing held pursuant to this section. This report shall be submitted to the chairman of the Joint Budget Oversight Committee within five days of the issuance of a Notice of Intent to Award or within 30 days following the last scheduled public hearing for a facility closure.

33. (New section) The commissioner shall conduct, or contract with another entity to conduct, a series of follow-up studies to assess the well-being of all former residents of State veterans' memorial homes who have made a transition into the community after the effective date of this act, P.L. , c. (C.)(pending before the Legislature as this bill), as a result of implementation of a plan to close a State veterans' memorial home, and also an assessment of the well-being of all former residents for each of the five years after the closure.

The commissioner shall compile the results of the follow-up studies conducted pursuant to this section and shall include this information in a series of reports that the commissioner shall submit to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1).

The report of a follow-up study on the well-being of all former residents of State veterans' memorial homes, who have made a transition into the community after the effective date of this act as a result of the implementation of a plan to close a State veterans' memorial home, shall be submitted one year after the beginning of implementation of the plan, and annually thereafter, until the veterans' memorial home has closed. In addition, for each of the five years after the closure of a home, a report of a follow-up study on the well-being of all former residents of the home shall be submitted.

Reports submitted pursuant to this section shall be made publicly available on the website of the Department of Veterans Affairs.

34. (New section) There are established in the Department of Veterans Affairs four advisory councils known as:

a. The New Jersey Veterans' Memorial Home Advisory Council-Menlo Park;

b. The New Jersey Veterans' Memorial Home Advisory Council-Vineland;

c. The New Jersey Veterans' Memorial Home Advisory Council-Paramus; and

d. The New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown.

Each advisory council shall consist of seven members, at least five of whom are veterans, to be appointed by the commissioner. The term of each council member, except for the initial members, shall be three years commencing on July 1 and ending on June 30 of the third year thereafter, and any vacancy shall be filled for the unexpired term only.

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

35. (New section) Subject to the provisions of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and under general policies established by the commissioner, the advisory councils of the veterans' facilities shall:

a. recommend standards and procedures for application and termination of eligibility for admission to veterans' facilities;

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 needs and circumstances;

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

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

36. (New section) Moneys, choses in action, and effects deposited by a member in trust with the veterans' facility and unclaimed at the death of the member, dying intestate, shall be deemed to be the property of the veterans' facility. Such property shall be held in trust for three years following the death of the depositor, with power to invest the funds and to use the income for the benefit of the members as the advisory council of the veterans' facility and the commissioner deem most advisable.

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

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

37. (New section) Subject to the provisions of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and under general policies established by the commissioner, the New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown shall:

a. recommend standards and procedures for application and determination of eligibility for interment in the veterans' cemetery; and

b. advise the commissioner regarding operating policies and procedures as they apply to veterans' family members, funeral

directors, and the relationship of the veterans' cemetery with the other veterans' facilities.

38. (New section) In conjunction with the New Jersey Veterans' Memorial Home Advisory Council-Menlo Park, the New Jersey Veterans' Memorial Home Advisory Council-Vineland, the New Jersey Veterans' Memorial Home Advisory Council-Paramus, and the New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown, any reference in any law, contract, or document to the Adjutant General of the Department of Military and Veterans' Affairs or the department shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs or the Department of Veterans Affairs.

39. (New section) There is established by the department a program to assist an eligible family member of a veteran who is already in a New Jersey veterans' memorial home, or an eligible family member of a veteran who is about to enter such a home, in being appointed as guardian of the veteran. In the event that a family member of a veteran who is already in a New Jersey veterans' memorial home, or is about to enter such a home, is not willing or available to serve as guardian of that veteran, some other interested person closely associated with the veteran shall be eligible for assistance in being appointed as guardian under the program herein established. The assistance provided to a family member of a veteran or to some other interested and eligible person associated with a veteran shall be in the form of both technical and financial support.

The commissioner shall develop economic criteria for determining eligibility for financial assistance pursuant to the program established by this section.

40. (New section) The department shall ensure that each veterans' memorial home shall hold quarterly town hall meetings with all veterans' guardians appointed pursuant to section 39 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and persons otherwise having the veteran's power of attorney. The meetings may take place in-person or remotely using the Internet or other electronic means.

Whenever a public health emergency is declared by the Governor pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), each veteran's guardian appointed pursuant to section 39 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), or each person otherwise having the veteran's power of attorney, shall be allowed to remove the veteran from the veterans' memorial home pursuant to procedures established under Department of Veterans Affairs rules and regulations, except the department shall allow for an initial extension of up to 30 days and one additional extension of up to 30

days. The resident veteran shall be required to continue to pay the care and maintenance fee while on temporary furlough to hold a bed. Regular operating procedures shall resume at the conclusion of the public health emergency.

The department shall ensure that each veterans' memorial home shall communicate updates to each veteran's guardian appointed pursuant to section 39 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and each person otherwise having the veteran's power of attorney, through a minimum of two communication means, which shall include regular mail, email, text message, and voice.

41. (New section) a. Notwithstanding the provisions of any law, rule, or regulation to the contrary, the Commissioner of the Department of Veterans Affairs shall transmit a weekly report on the status of the State veterans' memorial homes to the Commissioner of the Department of Health whenever a public health emergency, pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), has been declared by the Governor and is in effect. The weekly report shall include:

(1) the number of residents and staff in each veterans' home, including comparisons to previous reports;

(2) any significant health risks posed to the residents and staff in each veterans' home due to the public health emergency;

(3) any changes in operating procedures in each veterans' home due to the public health emergency; and

(4) the amount of personal protective equipment available to residents and staff at each veterans' home.

b. As used in this section:

(1) "veterans' home" means the New Jersey Veterans' Memorial Home - Menlo Park, the New Jersey Veterans' Memorial Home - Vineland, and the New Jersey Veterans' Memorial Home - Paramus.

(2) "personal protective equipment" means any items commonly used to protect an individual from bacterial or viral infections, including, but not limited to, disinfecting wipes, disposable gloves, disposable gowns, face shields, N95 face masks, surgical masks, or parts thereof.

42. (New section) a. The Department of Veterans Affairs shall establish a position to be known as a resident advocate at each State veterans' memorial home. The resident advocate shall have a direct reporting relationship to the director of the division that oversees the veterans’ memorial homes.

b. The resident advocate shall:

(1) act as a liaison between the State veterans' memorial home and each of the residents at the State veterans' memorial home;

(2) receive complaints from residents at the State veterans’ memorial home; and

(3) respond to any concerns or grievances from the residents at the State veterans' memorial home and, if appropriate, submit concerns or grievances to the State Long-Term Care Ombudsman.

c. A resident advocate who receives an oral or written complaint from a resident at a State veterans' memorial home shall log the complaint from the resident on a written or electronic form. The division that oversees the veterans' memorial homes shall develop, publish, and distribute the written and electronic form to be used by the resident advocate. At a minimum, the written and electronic form shall contain spaces for:

(1) the name of the resident submitting the complaint;

(2) the nature of the complaint;

(3) whether the complaint is an emergency that requires an immediate response, a critical situation that requires a reasonably prompt response, or a noncritical situation that requires an appropriately timely response; and

(4) a plan of action for the complaint and an estimated time frame within which the action will be taken.

d. A resident advocate who fills out a form under subsection c. of this section shall provide one copy of the form to the resident submitting the complaint and one copy to the administrator of the State veterans' memorial home. The resident advocate shall also retain the advocate's copy for not less than one year after the complaint is resolved.

e. A State veterans' memorial home shall make every reasonable effort to make the resident advocate at that memorial home easily identifiable by posting the name and work hours of the resident advocate and shall make every reasonable effort to assure that the plan of action prepared by the resident advocate pursuant paragraph (4) of subsection c. of this section is carried out within the time frame set forth in the plan of action.

43. (New section) a. The department shall organize and administer a program of voluntary commitments by employers throughout the State to participate in a plan of veterans' preference in private employment and reemployment.

b. The plan of veterans' preference in private employment shall provide for the fixing of a quota of veterans by the commissioner for all participating employers, but may not require any employed worker to be discharged. The plan shall also provide for the classification of disabled veterans in occupations for which they would not be handicapped, and for first preference in such occupations for such disabled veterans.

c. In the organization and administration of the employment quota preference plan, the commissioner, through appropriate federal, State and local agencies, shall:

Enroll employers who voluntarily commit themselves to the plan and certify the right of such employers to approved forms of public recognition;

Register veterans desiring employment, according to their occupational experience and capacities;

Register labor unions which are willing to participate through appropriate adjustment of their membership and other requirements, and certify the right of such unions to approved forms of public recognition;

Receive requests for workers from all participating employers; and

Either refer qualified veterans, with preference to the disabled, in response to such requisitions or certify that veterans are not available.

44. (New section) The department shall review and approve or disapprove all policies and work programs of State departments, agencies, and instrumentalities relating to veterans' welfare, services, or activities. No such activity or work program shall be undertaken or continued after disapproval by the department without specific authorization from the Governor.

45. (New section) a. Any dependent of a prisoner of war or a person missing in action, upon being accepted to pursue a course of undergraduate study in any private institution of higher education in this State or in any public institution of higher education of this State as enumerated in N.J.S.18A:62-1, shall be allowed to obtain a bachelor's degree, or certificate of completion, for so long as he is eligible, free of tuition. Once a person qualifies as a dependent under this section, there shall be no situation such as the return of the parent or the reported death of the parent that will terminate the eligibility of the dependent to receive the benefits under this section.

b. As used in this section:

"Dependent" means any child born before, during, or after the period of time the child's parent was a prisoner of war or a person missing in action, or any child legally adopted or in the legal custody of the parent prior to, during, or after the time the parent was a prisoner of war or a person missing in action.

"Prisoner of war" and "person missing in action" means any person who was a resident of this State at the time he or she entered service in the United States Armed Forces, or whose official residence is within this State, and who, while serving in said United States Armed Forces, has been declared to be a prisoner of war, or to be a person missing in action as established by the Secretary of Defense after January 1, 1960.

46. (New section) a. As used in this section:

"Approved course of study" means any curriculum or any combination of unit courses or subjects pursued at an educational institution which is accepted for Veteran's Educational Assistance pursuant to federal law.

"Approved educational institution" means (1) any academic, professional, or vocational school operating within this State, or (2) any graduate level school operating within the United States, or (3) any academic, professional, or vocational school operating outside of this State; provided that the institution shall have made a prior written agreement to accept the tuition credit and reimbursement provided for in this section; provided, further, that no more than 20% of the eligible veterans under subparagraphs (2) and (3) of this paragraph shall attend an approved educational institution operating outside of this State. To qualify as an "approved educational institution" under this section, an institution shall have been approved for Veteran's Educational Assistance pursuant to federal law.

"Eligible veteran" means any veteran of the Armed Forces of the United States residing in New Jersey who is or was eligible for Veteran's Educational Assistance pursuant to federal law and who (1) was domiciled in New Jersey at the time of induction into the Armed Forces, or (2) has been domiciled in New Jersey for a period of not less than 12 consecutive months prior to the date of application, exclusive of any time spent on active duty.

b. For the purposes of this section:

An institutional trade or technical course offered at a nonaccredited school on a clock-hour basis involving shop practice as an integral part thereof shall be considered a full-time course when a minimum of 30 hours per week of attendance is required with no more than two and one-half hours of rest periods per week and no more than three hours of supervised study per week allowed;

An institutional course offered at a nonaccredited school on a clock-hour basis in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of 25 hours per week net of instruction, which may include customary intervals not to exceed 10 minutes between hours of instruction, is required and no more than three hours of supervised study per week is allowed;

An institutional trade or technical course offered at an accredited school on a clock-hour basis which leads to a standard trade or technical degree and involves shop practice as an integral part thereof shall be considered a full-time course when a minimum of 22 hours per week of attendance is required with no more than two and one-half hours of rest periods per week and no more than three hours of supervised study per week allowed;

An institutional course offered at an accredited school on a clock-hour basis which leads to a standard trade or technical degree in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of 18 hours per week of instruction, which may include customary intervals not to exceed 10 minutes between hours of instruction, is required and no more than two and one-half hours of supervised study is allowed;

An academic high school course requiring 16 units for a full course shall be considered a full-time course when a minimum of four units per year is required, with a unit defined to be not less than 120 60-minute hours or their equivalent of study in any subject in one academic year; and

An institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis shall be considered a full-time course when a minimum of 14 semester hours or the equivalent thereof, for which credit is granted toward a standard college degree, including those for which no credit is granted but which are required to be taken to correct an educational deficiency, is required, except that when the college or university certifies, upon the request of the department, that (1) full-time tuition is charged to all undergraduate students carrying a minimum of less than 14 semester hours or the equivalent thereof or (2) all undergraduate students carrying a minimum of less than 14 semester hours or the equivalent thereof are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by the college or university with the minimum number of semester hours shall be considered a full-time course. In the event the minimum number of semester hours is less than 12 semester hours or the equivalent thereof, less then 12 semester hours or the equivalent thereof shall be considered a full-time course.

Each eligible veteran may select an approved course of study at any approved educational institution selected by the veteran, which will accept and retain the veteran as a student or trainee in any field or branch of knowledge which the institution finds him or her qualified to undertake or pursue.

c. Any eligible veteran who desires tuition credit pursuant to this section, within eight years from the date of (a) separation from active duty or (b) March 3, 1976, whichever is later, shall submit an application to the Department of Veterans Affairs which shall be in a form and contain information as the department shall prescribe. The department shall approve the application unless it finds that the veteran is ineligible for or not entitled to tuition credit, or that the veteran's course of study is not approved pursuant to this section, or that the veteran has already been approved. The department shall notify the veteran and the veteran's selected educational institution of the approval of the application.

d. Each eligible veteran shall be entitled to tuition credit pursuant to this section in accordance with the following schedule:

(1) For a period of one semester, or the equivalent thereof in part-time tuition credit, in the case of educational institutions regularly operated on the semester system, for each three months or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during such period of time, the veteran shall be entitled to tuition credit

pursuant to this section for a period of eight semesters, or the equivalent thereof in part-time tuition credit. The maximum credit hereunder shall be for a period of eight semesters; or

(2) For a period of one-quarter, or the equivalent thereof in part-time tuition credit, in the case of educational institutions regularly operated on the quarter system, for each two months or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during that period of time, the veteran shall be entitled to tuition credit pursuant to this section for a period of 12 quarters. The maximum credit hereunder shall be for a period of 12 quarters; or

(3) For a period of one and one-half months of any tuition period, or the equivalent thereof in part-time tuition credit, in the case of educational institutions not operated on the quarter or semester system, for each month or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during that period of time, the veteran shall be entitled to tuition credit pursuant to this section for 36 months of tuition credit, or the equivalent thereof in part-time tuition credit. The maximum credit hereunder shall be for a period of 36 months.

e. If an eligible veteran shall change the veteran's program of study from an educational institution regularly operated on the quarter or semester system, or otherwise, to an educational institution regularly operated on a different system, the remainder of the credit shall accordingly be redistributed by the department in such manner as to carry out the intent of this section.

f. Benefits hereunder shall be in the form of tuition credits limited by the lesser of full tuition or for:

(1) educational institutions regularly operated on the semester system, $200 per semester.

(2) educational institutions regularly operated on the quarter system, $100 per quarter.

(3) educational institutions not regularly operated on the semester or quarter system, $400 per full school year prorated on an equal basis as the Department of Veterans Affairs shall determine.

For veterans pursuing a program of part-time education, the tuition credit shall be in such amounts as the department shall determine. These veterans shall be eligible to receive awards during summer terms, provided that the total award during the period from September 1 to August 31 of any academic year does not exceed the amount of assistance a full-time student at the same institution would receive.

g. Reimbursement for tuition credit shall be made by the State Treasurer to the approved educational institution upon certification by the institution that the veteran is enrolled for the current period and upon certification by the Department of Veterans Affairs that the veteran is both eligible and entitled to tuition credit hereunder

subject to the provisions of this section. Reimbursement for tuition credit shall be made out of funds accumulated from the State Lottery.

h. Any benefits granted to eligible veterans pursuant to this section shall not be considered income or an asset in determining financial need for any financial assistance for higher education provided pursuant to Title 18A of the New Jersey Statutes.

i. In the event that the amount appropriated in any fiscal year is insufficient to carry out in full the provisions of this section, the department shall apportion the amount among the eligible veterans applying for tuition credit in proportion to the amount each veteran would be allocated if the full amount were appropriated.

47. (New section) a. As used in this section:

"Vietnam veteran" means a resident of this State who:

(1) served in the Armed Forces of the United States in Southeast Asia in the Vietnam conflict and received a Vietnam Service Ribbon or an Armed Forces Expeditionary Medal;

(2) was honorably discharged or generally discharged under honorable conditions; and

(3) was domiciled in New Jersey on April 9, 1985, for a period of not less than two consecutive years, exclusive of any time spent on active duty.

b. A Vietnam veteran, upon being accepted to pursue a course of study for an initial undergraduate degree in a public institution of higher education of this State as enumerated in N.J.S.18A:62-1, shall be entitled to tuition assistance, while enrolled as a student in good standing at that college, in an amount up to the full tuition cost as determined by the Department of Veterans Affairs pursuant to this section.

c. A Vietnam veteran, upon being accepted to pursue a course of study for an initial undergraduate degree at an independent college or university located in the State, shall be entitled to tuition assistance, while enrolled as a student in good standing at that college or university, in an amount as determined by the Department of Veterans Affairs pursuant to this section, but in an amount not more than the tuition charged at Rutgers, The State University.

d. A tuition award shall not be granted pursuant to this section unless the Vietnam veteran has applied for all other available State or federal student financial aid.

e. Eligibility for this program shall be limited to a period of five years from April 9, 1985. A Vietnam veteran shall be eligible for a tuition award for four academic years, unless the veteran is enrolled in an undergraduate program regularly requiring five academic years for completion, in which case the veteran shall be entitled to a tuition award for a fifth year.

48. (New section) The Department of Veterans Affairs shall provide a link on its website to the directory of public and independent institutions of higher education located on the website of the New Jersey Office of the Secretary of Higher Education. The link shall be placed on the page of the department's website that lists the education benefits available to veterans.

49. (New section) a. This section shall be known and may be cited as the "New Jersey Homeless Veterans Grant Program Law."

b. There is established in the Department of Veterans Affairs the "New Jersey Homeless Veterans Grant Program." The purpose of this program shall be to award grants to organizations that assist homeless veterans in this State from funds appropriated to the department from the "Homeless Veterans Grant Fund" established pursuant to section 4 of P.L.2013, c.239 (C.54A:9-25.33). The grants shall be allocated on a competitive basis, except grants allocated to public or private entities that provide legal services to homeless veterans and veterans at risk of homelessness shall be allocated pursuant to section 50 of P.L. , c. (C.)(pending before the Legislature as this bill). The Commissioner of the Department of Veterans Affairs shall develop criteria for the granting of awards. An organization that wishes to apply for a grant under this program shall submit an application to the commissioner. The application shall, at the minimum, include a description of how the organization will assist homeless veterans. The commissioner may adopt, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as may be necessary to effectuate the grant program.

50. (New section) a. This section shall be known and may be cited as the "Homeless Veterans Legal Services Law."

b. Subject to the availability of funds appropriated for this purpose, including but not limited to funding appropriated through section 49 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), the New Jersey Homeless Veterans Grant Program, the Commissioner of the Department of Veterans Affairs shall enter into agreements with public or private entities to fund a portion of the legal services specified in this section, that are provided by such entities to homeless veterans and veterans at risk of homelessness.

c. The commissioner shall ensure that, to the extent practicable, agreements established under this section are made with entities located in the northern, central, and southern regions of the State.

d. Legal services shall include legal services provided by public or private entities that address the needs of homeless veterans and veterans at risk of homelessness as follows:

(1) Legal services related to housing, including eviction defense, representation in landlord-tenant cases, and representation in foreclosure cases.

(2) Legal services related to family law, including assistance in court proceedings for child support, divorce, estate planning, and family reconciliation.

(3) Legal services related to income support, including assistance in obtaining public benefits.

(4) Legal services related to criminal defense, including defense in matters symptomatic of homelessness, such as outstanding warrants, fines, and driver's license revocation, to reduce recidivism and facilitate the overcoming of reentry obstacles in employment or housing.

(5) Such other legal services as the commissioner deems appropriate.

d. In developing and carrying out agreements under this section, the commissioner shall, to the extent practicable consult, with veterans service organizations, and coordinate appropriate outreach relationships with such organizations.

e. The commissioner may require entities that enter into agreements under this section to submit periodic reports on legal services provided to homeless veterans and veterans at risk of homelessness.

51. (New section) a. The Commissioner of the Department of Veterans Affairs shall provide county prosecutors with a registry of volunteer mentors developed pursuant to subsection (o) of section 5 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), to facilitate the assignment of mentors to eligible service members who have been admitted by the prosecutor into the Veterans Diversion Program established pursuant to P.L.2017, c.42 (C.2C:43-23 et al.). A copy of the registry shall also be provided to the Administrative Director of the Courts to facilitate the assignment of mentors to eligible service members who have been sentenced to a term of probation supervision. The registry of mentors shall be periodically updated by the Department of Veterans Affairs.

b. The Commissioner of the Department of Veterans Affairs shall also prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

52. (New section) a. There is created in the Department of Veterans Affairs, the Commission on Women Veterans. The commission shall work in collaboration with other State agencies and appropriate groups to study and review the needs, priorities, programs, and policies relating to women veterans, including, but not limited to, housing, health care, job training, and outreach. The commission shall ensure that all service providers and citizens are aware of the needs

and services available to women veterans and make recommendations for community education and training programs. The commission shall provide outreach in conjunction with the Department of Veterans Affairs and other organizations to educate and recruit prospective veterans.

b. The commission shall consist of 15 members who are New Jersey residents. The Governor shall appoint 12 members and, of the 12 appointed, nine shall be women. There shall be appointed one representative from each of the following branches of military service who may also be affiliated with an organization named below: the Army; the Air Force; the Coast Guard; the Marines; and the Navy. There shall also be appointed by the Governor, one representative from the Veterans of Foreign Wars, one representative from the American Legion, one representative from the Disabled American Veterans, one representative from the American Veterans, one representative from the New Jersey Army National Guard, one representative from the New Jersey Air National Guard, and one representative from the Military Order of the Purple Heart. The Commissioner of the Department of Veterans Affairs, the Commissioner of Labor and Workforce Development, and the Director of the Division on Women in the Department of Children and Families, or their respective designees, shall serve as ex-officio members.

c. The public members shall serve for terms of three years and until the appointment and qualification of their successors, except that of the initial appointment of public members, four shall be appointed for a term of three years, four shall be appointed for a term of two years, and four shall be appointed for a term of one year.

If any public member discontinues affiliation with the respective veterans' organization, the member shall immediately resign membership with the commission.

Any vacancy in the membership of the commission shall be filled in the same manner as the original appointments are made.

d. The members of the commission shall serve without compensation, but may be reimbursed for necessary and reasonable expenses incurred in the performance of their duties within the limits of funds appropriated or otherwise made available to the commission for its purposes.

e. The commission shall organize as soon as may be practicable after the appointment of a majority of its members and shall select from among its members a chairperson and a vice chairperson, who shall be responsible for the coordination of all activities of the commission. The members shall select a secretary, who need not be a member of the commission.

f. The commission shall meet at the call of the chairperson and hold hearings at such places as it shall designate. A meeting of the commission may also be called upon the request of eight of the commission members, and eight members of the commission shall

constitute a quorum at any meeting thereof. The commission shall meet not less than quarterly.

g. The commission may conduct public hearings at such places and at such times as it shall designate, at which it may solicit the testimony of interested persons, groups, and the general public.

h. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes. The Department of Veterans Affairs shall provide such organizational and personnel support as the commission may request.

i. The commission shall prepare and submit an initial report to the Governor, the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), and the [1][Deputy][1] Commissioner of the Department of Veterans Affairs.

j. The commission shall prepare and submit annual reports containing its findings, activities, and recommendations, including any recommendations for administrative and legislative action that it deems appropriate, to the Governor, the Legislature, and the Commissioner of the Department of Veterans Affairs.

The commission shall periodically advise the [1][Deputy][1] Commissioner of the Department of Veterans Affairs on its activities, findings, and recommendations.

53. (New section) a. The Department of Veterans Affairs shall create and maintain a registry of all organizations that provide services to military veterans. The registry shall be prominently displayed, and organized topically, on a public webpage of the department to provide a comprehensive listing of organizations with services addressing the needs of veterans. The department shall actively seek out organizations to include on the registry, and organizations may also voluntarily submit requests to be included on the registry.

The department shall conduct a review of any organization prior to the organization's inclusion on the registry, and the department may, in its discretion, refuse to include an organization on the registry or remove an organization from the registry if the department determines that the organization's services do not reflect the purpose of the registry. Inclusion on the registry shall not be construed to be an endorsement of an organization by the department or State.

b. As used in this section, "organizations that provide services to veterans" includes any organization, not for profit or otherwise, exclusively providing services to veterans or primarily providing services to veterans, or any organization that provides services to a variety of recipients including veterans.

54. (New section) a. There is created within the Department of Veterans Affairs two advisory councils to be known as Veterans

Haven North Council and Veterans Haven South Council. The Veterans Haven North Council shall represent the northern facility and the Veterans Haven South Council shall represent the southern facility. The two councils shall have joint meetings no less than once each calendar year.

Each council shall consist of eight members, at least five of whom shall be veterans, and shall include no less than two women. A Deputy Commissioner of the Department of Veterans Affairs, or a designee, shall serve as a nonvoting ex-officio member on each council. Each member shall be appointed by the commissioner. The term of each council member shall be three years, except that, of the first appointments, two shall be for a term of one year, two for a term of two years, and three for a term of three years. At no time shall a member be allowed to serve more than two terms in the aggregate, or on both councils at the same time.

b. The members of each council shall nominate a chairperson by majority vote of the members, and four members shall constitute a majority. The chairperson of each council shall be its presiding officer and shall serve until a successor has been nominated by the council.

c. Any vacancy shall be filled for the unexpired term only. Members of the council shall be subject to removal by the commissioner at any time for good and sufficient cause.

d. The members of the council shall receive no compensation for their services, but shall be reimbursed for actual expenditures incurred in the performance of their duties within the limits of funds appropriated or otherwise made available for this purpose.

55. (New section) Under general policies established by the commissioner, each Veterans Haven council shall:

a. formulate comprehensive policies for the coordination of all services for the benefit of veterans housed at the Veterans Haven facilities;

b. consult with and advise the Deputy Commissioner of the Department of Veterans Affairs and the Director of Veterans' Services with respect to the work of each Veterans Haven facility;

c. recommend standards and procedures for application and termination of eligibility for admission to each Veterans Haven facility; and

d. recommend standards of care, treatment and discipline governing the relationship between each Veterans Haven facility and the persons admitted thereto.

56. (New section) The Department of Veterans Affairs shall establish a program to provide assistance to qualified veterans in in-patient and out-patient treatment programs with travel to attend medical counseling appointments for service-connected conditions approved and authorized by the United States Department of Veterans Affairs within this State.

The department shall:

a. develop, in cooperation with the New Jersey Transit Corporation and the United States Department of Veterans Affairs, a program to provide reimbursement, subject to available State or federal funding, to qualified veterans who spend their own funds to travel on public transportation to and from medical counseling appointments for service-connected conditions within the State using any motor bus or rail passenger service conducted by the corporation when the veteran is not otherwise eligible for payment for travel or reimbursement by means of any existing State or federal program;

b. develop, in cooperation with the United States Department of Veterans Affairs, a program to provide reimbursement to qualified veterans who spend their own funds to travel using private transportation to and from medical counseling appointments for service-connected conditions within the State by reimbursing on a per mile basis their operation of a privately-owned conveyance when that veteran is not otherwise eligible for payment for travel or reimbursement by means of any existing State or federal program, provided that the qualified veteran shall not use a for-hire private entity that charges for transportation unless such transportation is necessary for the qualified veteran due to a service-connected injury or disability for which the veteran has a certified rating provided by the United States Department of Veterans Affairs which prevents or hinders his or her ability to operate a privately-owned conveyance;

c. develop, in coordination with the United States Department of Veterans Affairs, a system for monitoring veterans who have applied for reimbursement;

d. notify the general public and eligible veterans that the program established by this section is available to qualified veterans; and

e. adopt such rules and regulations as may be necessary to effectuate the purposes of this section.

57. (New section) a. The Department of Veterans Affairs, in consultation with the Division of Travel and Tourism in the Department of State and the New Jersey Historical Commission, shall develop and maintain a website providing information detailing war battles fought and places of historic significance to the military or war efforts in New Jersey. The website shall: (1) specify the date and location, and describe the importance, of each battle that took place on lands within the State or in State waters; and (2) identify, and describe the importance of, locations within the State or in State waters that are, or have been, significant to the military or war efforts, such as those locations used for military operations or training or those locations which house, berth, or preserve historic military equipment, vehicles, or vessels, including battleships, fighter planes, and tanks. The information on the website shall be available as a list and in an online tour format, and

shall include, but need not be limited to, information pertaining to battles fought and places that are of historic significance to military actions or war efforts undertaken during the Revolutionary War, the War of 1812, the Mexican-American War, the Civil War, the Spanish-American War, World War I, World War II, the Korean War, and the Vietnam War.

b. The department shall be entitled to call to its assistance and avail itself of the services of the employees of any State, county, or municipal department, authority, board, bureau, commission, agency, or entity, or of Rutgers, The State University, or any other public institution of higher education in the State, as it may require and as may be available to it for the purpose of carrying out its duties under this act, P.L. , c.)(pending before the Legislature as this bill).

58. (New section) The Legislature finds and declares that:

a. Residents of New Jersey have answered the call to fight for our country many times as members of the United States military and as members of the New Jersey National Guard.

b. Throughout history, New Jersey residents have made the ultimate sacrifice for their country and have given their life for our freedom.

c. The family members left behind after the untimely deaths of these brave service members, known as Gold Star family members, are often left with emotional wounds who need the caring intervention of a mental health professional to grieve and learn to live with the new reality of their loved one's passing.

d. The United States Department of Veterans Affairs has taken the lead to provide mental health care to veterans and certain family members with the establishment of the Care Enough to Share program, which links mental health professionals with an opportunity to volunteer their time and talents to help the nation's veterans and certain family members by providing mental health counseling.

e. It is honorable and necessary that the State of New Jersey assist these Gold Star family members in their grief by establishing programs that can link mental health care professionals with the family members to provide the needed mental health care free of charge to the families.

59. (New section) As used in this section and section 60 of this act, P.L. , c. (C.)(pending before the Legislature as this bill):

"Gold Star family member" means an individual who is a New Jersey resident and is the surviving spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole blood or the half blood, or by adoption, of a member of the Armed Forces of the

United States or the National Guard who died while on active duty for the United States.

"Mental health care professional" means a person who provides mental health services and is licensed or otherwise authorized, pursuant to Title 45 of the Revised Statutes, to practice a health care profession that is regulated by one of the following: the State Board of Medical Examiners; the State Board of Psychological Examiners; the State Board of Social Work Examiners; the State Board of Marriage and Family Therapy Examiners; the Alcohol and Drug Counselor Committee; the Professional Counselor Examiners Committee; or the Certified Psychoanalysts Advisory Committee.

60. (New section) There is established in the Department of Veterans Affairs the "Gold Star Family Counseling Program." The purpose of this program is to link mental health care professionals with Gold Star family members to facilitate the provision of mental health counseling free of charge to Gold Star family members. The Commissioner of the Department of Veterans Affairs shall create and implement the "Gold Star Family Counseling Program" as follows:

a. The department shall recruit mental health care professionals to donate professional counseling hours to provide mental health counseling to Gold Star family members. The department may coordinate the recruitment efforts with the federal Department of Veterans Affairs.

b. The department shall coordinate with the federal Department of Veterans Affairs to maintain a list of mental health care professionals who are available to provide professional mental health counseling hours to Gold Star family members.

c. The department shall maintain and distribute the list of available mental health care professionals on a Statewide basis and shall distribute the list of available mental health care professionals to each county veteran service office for the distribution thereof.

d. The department shall create a system for monitoring and verifying the donated hours to facilitate the tax credit provided to mental health care professionals pursuant to section 6 of P.L.2017, c.174 (C.54A:4-16).

e. The department shall provide documentation annually to the mental health care professional for submission to the Department of the Treasury to verify the amount of tax credit the mental health care professional is eligible to request annually pursuant to section 6 of P.L.2017, c.174 (C.54A:4-16). The amount of annual tax credit shall be determined by the department as the sum of the hours of donated counseling provided to the Gold Star family member multiplied by the documented compensation rate applied to these hours. To determine the compensation rate, the department shall use the calendar year TRICARE rate for the service provided in the geographic location in which the service is provided. The department shall limit the cumulative hours which are authorized

for the annual tax credit to a minimum of 20 hours and a maximum of 40 hours per year, per professional.

f. All mental health care professionals volunteering for the "Gold Star Family Counseling Program" established pursuant to this section shall be immune from civil liability as provided in P.L.1991, c.270 (C.2A:62A-16 et seq.).

g. The department may apply for and accept on behalf of the State any grants from the federal government or any agency thereof, or from any foundation, corporation, association, or individual, except for education grants or federal funds for education grants, and may comply with the terms, conditions, and limitations thereof, to develop and implement the "Gold Star Family Counseling Program" established pursuant to this section. Any money so received may be expended by the department, subject to any limitations imposed in such grants, upon warrant of the Director of the Division of Budget and Accounting of the Department of the Treasury.

61. (New section) a. The department shall maintain a list of each person possessing a Gold Star Family license plate, issued pursuant to section 2 of P.L.2011, c.17 (C.39:3-27.142), and each person holding a driver's license or identification card with a Gold Star Family designation, issued pursuant to section 1 of P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3), respectively. The department shall distribute the list to the appropriate representative of a State veteran service entity in each county.

b. It shall be unlawful for any person to:

(1) have in the person's possession any canceled, fictitious, fraudulently altered, or fraudulently obtained driver's license or identification card with a Gold Star Family designation;

(2) lend a driver's license or identification card with a Gold Star Family designation to any other person or knowingly permit the use thereof by another;

(3) display or represent a driver's license or identification card with a Gold Star Family designation not issued to the person as being the person's card;

(4) permit any unlawful use of a driver's license or identification card with a Gold Star Family designation issued to the person;

(5) photograph, photostat, duplicate, or in any way reproduce a driver's license or identification card with a Gold Star Family designation, or facsimile thereof, in such a manner that it could be mistaken for a valid driver's license or identification card with a Gold Star Family designation, or to display or have in the person's possession any such photograph, photostat, duplicate, reproduction, or facsimile; or

(6) alter a driver's license or identification card with a Gold Star Family designation in any manner.

c. A person who violates any provision of subsection b. of this section shall be liable to a civil penalty of $1,000. The civil penalty shall be collected pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.), in a summary proceeding before the municipal court having jurisdiction.

62. (New section) a. (1) Upon receipt of the notice from the United States Department of Defense of the death of a service member who resided in this State and whose surviving beneficiary resides in this State, the Department of Veterans Affairs shall notify, no later than ten working days, the appropriate county veterans' affairs office, or county designee, and the appropriate State veterans' service office. The State office shall provide the surviving beneficiary of a deceased service member with a comprehensive packet containing information on all federal and State benefits for which the surviving beneficiary may be eligible. The department shall develop the packet and provide all State veterans service offices with a supply of packets for distribution.

This section shall also apply when a deceased service member is not a resident of this State, but whose surviving beneficiary is a resident of this State, if that information is known.

(2) Every county veterans' affairs office shall have a designated Gold Star family member liaison. The liaison may be a volunteer or a Gold Star family member. The liaison shall, in conjunction with the State veterans' service offices, assist Gold Star families to access the services they are entitled to by providing information on State benefits, Gold Star family organizations, and such other resources deemed necessary and beneficial to a Gold Star family member.

b. For the purpose of this section:

"Child" means the individual who is a son or daughter by birth or adoption.

"Deceased service member" means any member of the Armed Forces of the United States a Reserve Component thereof, or a member of the National Guard who dies as a result of enemy action, accident, or disease while on federal active duty, including active duty for training.

"Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States.

"Parent" means the individual who is a father or mother by birth or adoption.

"Spouse" means the individual to whom the deceased service member was legally married at the time of the member's death.

"Surviving beneficiary" means the spouse, child, or parent of a deceased service member who resides in this State.

63. (New section) a. There is hereby established in the Department of Veterans Affairs the New Jersey Commission on Veterans Benefits, consisting of 13 members as follows:

(1) the Commissioner of the Department of Veterans Affairs, or their designee, who shall serve as chairperson;

(2) the Commissioner of the Department of Human Services, or a designee;

(3) the Commissioner of the Department of Health, or a designee;

(4) the Commissioner of the Department of Community Affairs, or a designee;

(5) the Commissioner of the Department of Education, or a designee;

(6) the Commissioner of the Department of Labor and Workforce Development, or a designee;

(7) the Secretary of State, or a designee;

(8) the Attorney General, or a designee; and

(9) five public members who are residents of this State and who are veterans, as defined under section 3 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), one to be appointed by the Governor, and four to be appointed one each by the President of the Senate, the Senate Minority Leader, the Speaker of the General Assembly, and the Assembly Minority Leader. At least two of the five public members shall be women veterans.

The public members of the commission shall serve for terms of three years and until the appointment and qualification of their successors, except that of the initial appointment of public members, three shall be appointed for a term of three years, and two shall be appointed for a term of two years. Any vacancy in the membership of the commission shall be filled in the same manner as the original appointments are made.

b. The commission shall organize as soon as practicable after the appointment of a majority of its members and shall select from among its members a chairperson. The members shall select a secretary, who need not be a member of the commission. Thereafter, the commission shall meet quarterly and at the call of the chairperson. A meeting of the commission may also be called upon at the request of seven of the commission members, and seven members of the commission shall constitute a quorum at any meeting thereof. The commission may conduct public hearings at such places and at such times as it shall designate, at which it may solicit the testimony of interested persons, groups, and the general public.

c. The commission shall be entitled to call to its assistance and avail itself of the services of employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes. The Department of Veterans Affairs shall provide such organizational and personnel support as the commission may request. All

departments and agencies of the State shall furnish such advice and information, documentation, and assistance to the commission as is deemed necessary or desirable by the commission to facilitate its purposes.

d. The members of the commission shall serve without compensation, but the public members may be reimbursed for necessary and reasonable expenses incurred in the performance of their duties within the limits of funds appropriated or otherwise made available to it for its purposes.

64. (New section) a. It shall be the duty of the New Jersey Commission on Veterans Benefits to develop, maintain, and annually update a five-year Statewide veterans' benefits strategic plan that includes goals and measurable outcomes to ensure that all State departments and agencies are effectively delivering comprehensive services and support for veterans and their families in this State.

b. In developing and updating the strategic plan, the commission shall conduct an analysis to identify the various programs and benefits provided by the State to the veteran population, and to evaluate those programs to assess their status and effectiveness. Areas of analysis shall include, but need not be limited to, each existing program's status, successes, and challenges in addressing the veteran population's: (1) access to benefits; (2) educational, job skills, employment, and business opportunities; (3) physical and behavioral health and long-term healthcare options; (4) criminal justice issues; (5) housing opportunities and homelessness; and (6) special needs as determined by the commission. The strategic plan shall be based upon comprehensive data gained through open and transparent engagement with State departments and agencies and veterans' stakeholders.

c. The commission shall develop recommendations to be submitted to the Governor and the Legislature to address any deficiencies in the provision of benefits and services to veterans in this State. The recommendations shall specifically address whether the existing State programs, services, and resources are adequate to meet the veteran population's existing needs; are being used to fulfill objectives in a manner that complements and leverages State, federal, and private resources; and how they may more effectively deliver veteran services to all current and future veterans in the State of New Jersey.

d. The commission shall prepare and submit an initial five-year strategic plan to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1). Thereafter, the commission shall prepare and submit annual reports to the Governor and the Legislature containing its findings, activities, and recommendations, including any recommendations for administrative and legislative action that it deems appropriate.

65. (New section) a. All former service members of the Armed Forces who were separated from the service with a general or other than honorable discharge due solely to their sexual orientation, or gender identity or expression, may request that the Department of Veterans Affairs assist them to have the designation on the discharge changed and recorded as honorable.

b. The Department of Veterans Affairs shall:

(1) create, publish, and distribute material to all public agencies of the availability of the assistance; and

(2) create a consistent and uniform process to assist a former service member with the appropriate and necessary forms and conditions prescribed by federal law, so that service member may petition the United States Department of Veterans Affairs, or its successor agency, to change the designation on the discharge to honorable.

At no time shall a fee be charged to a former service member for seeking assistance to have the designation on the discharge changed to honorable.

c. A former service member who has the designation of discharge changed to honorable shall be afforded the same rights, privileges, and benefits authorized by State law to service members who were honorably discharged.

d. Information related to the change in the designation of a discharge, including, but not limited to, a request for assistance, shall be confidential and not accessible to the public as a government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.).

e. The commissioner shall, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt any rules and regulations as the commissioner deems necessary to carry out the provisions of this section.

66. (New section) The commissioner may procure and issue such service medals, ribbons, clasps, or similar devices as are authorized by the Legislature to be awarded to residents of the State of New Jersey, who served on active duty in time of war or emergency or who served as members of the American Merchant Marine during World War II, and are declared by the United States Department of Defense to be eligible for federal veterans' benefits.

67. (New section) a. The Governor may present in the name of the State of New Jersey a POW-MIA medal of appropriate design, and ribbon to be worn in lieu thereof, to:

(1) any person who, on the date of induction into the organized militia or federal military service, was a resident of this State and who, while serving in the organized militia or in federal military service on active duty in a combat theater of operation during time of war or emergency, shall have been officially listed as a prisoner of war or missing in action by the United States Department of Defense; or

(2) any person who, on the date of induction into the organized militia or federal military service, was not a resident of this State but currently resides in this State or was a resident at time of death and who, while serving in the organized militia or in federal military service on active duty in a combat theater of operation during time of war or emergency, shall have been officially listed as a prisoner of war or missing in action by the United States Department of Defense; and

(3) was taken prisoner and held captive or declared missing in action: (a) while engaged in an action against an enemy of the United States; (b) while engaged in military operations involving conflict with an opposing foreign force; or (c) while serving with friendly forces engaged in an armed conflict against an opposing force in which the United States is not a belligerent party.

b. The period of creditable military service must include the period of captivity from date of capture through date of release. While no minimum time period of captivity exists as eligibility criteria for the medal, the Department of Veterans Affairs should determine each case on its merits.

c. The medal shall be issued only to those taken prisoner by foreign armed forces that are hostile to the United States, under circumstances which the commissioner, or a designee, finds to have been comparable to those under which persons have generally been held captive by enemy armed forces during periods of armed conflict.

d. Any person convicted by a United States military tribunal of misconduct or a criminal charge or whose discharge is less than honorable based on actions while a POW-MIA is ineligible for the medal. Any POW-MIA whose conduct was not in accord with the Code of Conduct, and whose actions are documented by United States military records, is ineligible for the medal. Resolution of questionable cases shall be the responsibility of the commissioner or a designee.

e. No more than one medal shall be awarded. For subsequent acts justifying award of the medal, service stars shall be awarded and worn on the suspension and service ribbon of the medal. A period of captivity terminates on return to United States military control. Escapees who do not return to United States military control and are recaptured by an enemy do not begin a new period of captivity for subsequent award of the medal.

f. The medal may be awarded for a deceased person or a person absent as a prisoner of war or missing in action and, when so directed, may be presented to such representatives, as the commissioner considers appropriate, who submit all of the required forms and documentation on behalf of that person.

Return of remains, in and of itself, does not constitute evidence of POW-MIA status.

g. The Department of Veterans Affairs shall receive requests for, and issue, the medal to eligible individuals or their next-of-kin,

who shall use the “Department of Veterans Affairs application for award/program" application, attaching a copy of DD Form 214 or WD Form 53 and death certificate copy, if applicable.

h. There is created in the Department of the Treasury a special, non-lapsing fund to be known as the "POW-MIA Medal Fund." There shall be deposited into the fund the amounts made available for the purposes of the fund and monetary donations that may be received from any source for the purposes of the fund and any interest earned thereon. Monies deposited in the fund shall be dedicated for the design, manufacture, and distribution of the medal.

[1][68. (New section) a. References in R.S.38:20-3 concerning educational grants for war orphans; section 2 of P.L.1999, c.276 (C.34:1B-176) concerning information for veterans on the assistance programs of the New Jersey Economic Development Authority; section 44 of P.L.2003, c.79 (C.27:23-47) concerning the maintenance of the Vietnam Veterans' Memorial; section 2 of P.L.1999, c.92 (C.54A:9-25.16) concerning the Korean Veterans' Memorial Fund; and section 3 of P.L.2003, c.105 (C.26:2H-94) concerning certain health care facilities, to the Adjutant General and the Department of Military and Veterans’ Affairs shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs and the Department of Veterans Affairs.

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

The Veterans' Services Council, established pursuant to P.L.1948, c.448 (C.13:1B-20 et seq.), together with all its functions, powers, and duties, is transferred to the Department of Veterans Affairs.

c. References in section 2 of P.L.1989, c.334 (C.18A:73-20.3) concerning collections by the New Jersey State Museum; section 1 of P.L.2001, c.302 (C.18A:7C-4.1) concerning the "Operation Recognition" program; section 16 of P.L.1974, c.30 (C.19:31-6.4) concerning voter registration forms; and section 1 of P.L.1999, c.120 (C.27:1A-5.16) concerning the Blue Star Memorial Highway Council to the Adjutant General and the Department of Military and Veterans’ Affairs shall be deemed to mean and refer to the Commissioner and the Department of Veterans Affairs.

d. Whenever any statute shall refer to veterans' matters in the Department of Veterans Services and Defense, the same shall mean and refer to the Department of Military and Veterans’ Affairs. Whenever any statute refers to veterans' matters in the Department of Military and Veterans' Affairs, the same shall mean and refer to the Department of Veterans Affairs.**]**[1]

[1]68. (New section) a. References in the following to the Adjutant General and the Department of Military and Veterans' Affairs shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs and the Department of Veterans Affairs:

R.S.38:20-3 concerning educational grants for war orphans;

section 2 of P.L.1999, c.276 (C.34:1B-176) concerning information for veterans on the assistance programs of the New Jersey Economic Development Authority;

section 44 of P.L.2003, c.79 (C.27:23-47) concerning the maintenance of the Vietnam Veterans' Memorial;

section 2 of P.L.1999, c.92 (C.54A:9-25.16) concerning the Korean Veterans' Memorial Fund;

section 3 of P.L.2003, c.105 (C.26:2H-94) concerning certain health care facilities;

section 2 of P.L.2005, c.59 (C.38A:3-2.5) concerning the World War II Memorial Commission;

P.L.1988, J.R. No. 20 concerning placards bearing the designation "Brigadier General William C. Doyle Veterans' Memorial Cemetery;"

section 2 of P.L.1989, c.334 (C.18A:73-20.3) concerning collections by the New Jersey State Museum;

section 1 of P.L.2001, c.302 (C.18A:7C-4.1) concerning the "Operation Recognition" program;

section 16 of P.L.1974, c.30 (C.19:31-6.4) concerning voter registration forms; and

section 1 of P.L.1999, c.120 (C.27:1A-5.16) concerning the Blue Star Memorial Highway Council.

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

The Veterans' Services Council, established pursuant to P.L.1948, c.448 (C.13:1B-20 et seq.), together with all its functions, powers, and duties, is transferred to the Department of Veterans Affairs.

c. References in section 4 of P.L.2001, c.246 (C.App.A:9-67) concerning the Domestic Security Preparedness Task Force and section 24 of P.L.2005, c.222 (C.26:13-24) concerning the State Public Health Emergency Claim Reimbursement Board to the Adjutant General of the Department of Military and Veterans' Affairs shall be deemed to mean and refer to the Adjutant General of the Department of Military Affairs.

d. Whenever any statute shall refer to veterans' matters in the Department of Veterans Services and Defense, the same shall mean and refer to the Department of Veterans Affairs.

e. Whenever, in any law, rule, regulation, order, contract, document, judicial or administrative proceeding or otherwise, reference is made to the to the Department of Military and Veterans' Affairs, the same shall mean and refer to the Department of Veterans Affairs.[1]

69. (New section) The transfers made by this act, P.L. , c. (C.)(pending before the Legislature as this bill), shall be made in accordance with the "State Agency Transfer Act," P.L.1971, c. 375 (C.52:14D-1 et seq.).

The programs developed within the Department of Military and Veterans' Affairs prior to the effective date of this act shall be continued and transferred to the Department of Veterans Affairs in accordance with, or as provided by, this act.

The councils and commissions, together with all their functions, powers, and duties, are continued and transferred from the Department of Military and Veterans' Affairs to the Department of Veterans Affairs in accordance with, and as provided by, this act. This act shall not affect the terms of office of the members of the councils and commissions serving on the effective date.

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

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

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

(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.1988, c.138, s.2)

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

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

(cf: P.L.1988, c.138, s.4)

72. Section 1 of P.L.1987, c.444 (C.38A:3-1.1) is amended to read as follows:

1. The Legislature finds and declares:

a. Since the establishment of this State more than 200 years ago, New Jersey's veterans have maintained their proud allegiance to the United States and have fought and died to preserve and protect our freedom and way of life;

b. Presently there are approximately 900,000 veterans with service in time of war or conflict residing in New Jersey, including more than 10,000 World War I veterans, 406,000 World War II veterans, 202,000 veterans of the Korean conflict, 203,000 veterans of the Vietnam conflict, 30,000 women veterans, and veterans of the Lebanon and Grenada peacekeeping missions;

c. The Departments of Higher Education, Human Services, Labor, and Treasury provide special services and benefits to these veterans and their dependents;

d. The Department of Human Services, which is the principal government agency that serves this State's veterans, has done an especially commendable job attending to this special group of residents; and

e. [Yet while 23 states in the United States have a separate cabinet-level Department of Veterans' Affairs, New Jersey lacks an executive department which is concerned primarily with the needs and problems of veterans in this State;] (Deleted by amendment, P.L. , c.)(pending before the Legislature as this bill)

f. It is in the public interest to incorporate various services and programs which pertain specifically to veterans and their dependents into an executive department which can serve their needs more efficiently than is possible at present.

(cf: P.L.1987, c.444, s.1)

73. Section 33 of P.L.1988, c.138 (C.38A:3-1a) is amended to read as follows:

33. Whenever any statute shall refer to [1]military matters in[1] the Department of Defense or the Department of Veterans' Affairs and Defense, the same shall mean [1]and refer to[1] the Department of Military [and Veterans'] Affairs; except as provided in section 69 of P.L. , c. (C.)(pending before the Legislature as this bill).

(cf: P.L.1988, c.138, s.33)

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

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

a. "Department"], "department" means the Department of Military [and Veterans'] Affairs established pursuant to N.J.S.38A:3-1 et seq., as amended[;

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

(cf: P.L.1988, c.138, s.3)

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

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

(a) The Adjutant General;

(b) The deputy adjutant general;

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

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

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

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

(g) State headquarters for selective service; and

(h) The organized militia**[**;**]** .

(i) **[**The Administrator of Veterans' Affairs;**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(j) **[**The Director of the Division of Veterans' Administrative Services;**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(k) **[**The Director of the Division of Veterans' Loans, Grants and Services; and**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(l) **[**The Director of the Division of Veterans' Training, Information and Referrals.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(cf: P.L.1988, c.138, s.6)

76. Section 2 of P.L.2017, c.359 (C.38A:3-2k) is amended to read as follows:

2. There is hereby created in the Department of Military **[**and Veterans'**]** Affairs a Military and Defense Economic Ombudsman. The ombudsman shall be appointed by the Governor. The person appointed shall have expertise in the areas of defense, business, and governmental affairs, and shall have been a resident of this State for at least 36 consecutive months immediately preceding appointment. Once appointed, the ombudsman shall continue to maintain residency in New Jersey and shall serve at the pleasure of the Governor and shall report to the Adjutant General. The office of the Military and Defense Economic Ombudsman may request and shall avail itself and utilize the services of any officer or employee of the Department of Military **[**and Veterans'**]** Affairs and of any other State department or agency, who shall render such assistance as the head of the principal department or agency may require without additional compensation.

(cf: P.L.2017, c.359, s.2)

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

38A:3-3. The head of the Department of Military **[**and Veterans'**]** Affairs 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:

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

(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 officers having the qualifications to become federally-recognized as brigadier general of the line, New Jersey Army National Guard, or brigadier general, New Jersey Air National Guard.
(cf: P.L.1988, c.138, s.9)

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

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

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

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

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

(d) Command the organized militia of the State, with responsibility for recruiting, mobilization, administration, training, discipline, equipping, supply and general efficiency thereof. **[**He**]** The Adjutant General may issue such regulations and delegate such command functions as shall be deemed necessary. The regulations so issued shall, insofar as possible, conform to the federal laws and regulations concerning the same.

(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 Military **[**and Veterans'**]** Affairs.

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

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

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

(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.

(j) **[**Exercise all of the functions, powers and duties heretofore vested in the Director of the Division on Veterans' Programs and Special Services.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(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 applicable statutes, except as herein otherwise specifically provided.

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

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

(n) Organize the work of the department in divisions not inconsistent with the provisions of this act, P.L. , c. (pending before the Legislature as this bill) and in bureaus and other organizational units as the Adjutant General may determine to be necessary for efficient and effective operation.

(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 as may be authorized by law.

(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.

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

(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.

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

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

(u) **[**Supervise and operate the New Jersey Veterans' Memorial Home-Menlo Park, the New Jersey Veterans' Memorial Home-Vineland, the New Jersey Veterans' Memorial Home-Paramus and the New Jersey Veterans' Memorial Cemetery-Arneytown.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

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

(Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

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

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

(y) **[**Provide current information to the general public on State and federal veterans' programs and benefits; create a comprehensive public webpage for women veterans that includes, but is not limited to, the following information: veterans' legal rights, benefits, medical and insurance issues, education, the transition from active service to civilian life, and other resources available to veterans.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(z) **[**Develop and administer the New Jersey Homeless Veterans Grant Program established pursuant to section 3 of P.L.2013, c.239 (C.38A:3-6.2b).**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(aa) **[**Encourage and facilitate the registration of each service member residing in New Jersey with the United States Department of Veterans' Affairs, or its successor agency. Registration shall take place, as appropriate, when the service member returns from deployment on federal active duty or is discharged or as soon as possible thereafter. The term "service member" shall mean members of the New Jersey National Guard and members of the United States Armed Forces, or a Reserve component thereof, when the information on each member is made available to the department.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(bb) **[**Develop and coordinate a volunteer-based program comprised of former servicemembers to assist and mentor veterans who become involved with the criminal justice system, while criminal proceedings are pending and afterward, in accessing assistance to resolve the underlying problems that led or contributed to the veteran's involvement with the criminal justice system including, but not limited to, offering support and guidance, securing housing, employment linkages, job training, education, transportation, disability compensation claims, discharge status, health care and other linkages available at the local, State and federal level that can ease the challenge of reentry into civilian life. In addition, the Adjutant General shall develop a registry of volunteer mentors and make the registry available pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(cc) **[**Prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).**]** (Deleted by

amendment, P.L. , c.) (pending before the Legislature as this bill)

(dd) **[**Create a comprehensive public webpage for Gold Star family members that includes, but is not limited to, the following information: State benefits; State and county liaisons; a list of service members from New Jersey killed in action; links to other Gold Star family organizations; and such other information and resources as the Adjutant General deems necessary and beneficial to a Gold Star family member. A "Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

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

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

79. Section 41 of P.L.1994, c.182 (C.38A:3-6.19) is amended to read as follows:

41. The Adjutant General of the Department of Military **[**and Veterans'**]** Affairs shall:

a. cause copies of the voter registration forms and instructions furnished under subsection f. of section 16 of P.L.1974, c.30 (C.19:31-6.4) to be displayed at each recruitment office of the New Jersey National Guard and to be made available to each person who, when appearing in person at such office to apply for enlistment in the Guard, may wish, on a voluntary basis, to register to vote;

b. provide for the continuous supply of the forms and instructions specified in subsection a. of this section to each such office; and

c. provide the forms and instructions specified in subsection a. of this section in both the English and Spanish languages to each recruitment office of the New Jersey National Guard which is located in any county in which bilingual sample ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965, c.29 (C.19:23-22.4).

(cf: P.L.1994, c.182, s.41)

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

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

(a) Officers and enlisted members who are ordered to active 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 this title.

(b) Classified civil service employees.

(c) Unclassified civil service employees, who may be relieved, suspended or discharged for good cause. Such personnel shall be administered as far as practicable under similar regulations as those applicable to classified civil service, but shall be subject to military discipline and control as the Commissioner deems appropriate, and shall include all personnel employed for the maintenance of armories.

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

(cf: P.L.1988, c.138, s.11)

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

38A:3-10. The **[**Adjutant General**]** Commissioner of the Department of Veterans Affairs may demand and receive, for the services herein enumerated, except for those in proof of pension**[**, establishment of veteran status,**]** and exemption from jury duty, or in lieu of lost discharges, the following fees:

(a) For every search made in his office for the military record of any member or former member of the armed forces, including any member of the American Merchant Marine during World War II who is declared by the United States Department of Defense to be eligible for federal veterans' benefits, the sum of $1.00.

(b) For the furnishing of every certified copy of such record, the sum of $2.00.

The **[**Adjutant General**]** Commissioner shall keep a true record and account of fees received under the provisions of this section and shall pay the same into the State Treasury in the manner prescribed by law.

(cf: P.L.1991, c.389, s.21)

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

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

(cf: P.L.1988, c.138, s.12)

83. Section 2 of P.L.1992, c.86 (C.38A:3-16) is amended to read as follows:

2. The Council on Armed Forces and Veterans' Affairs established in the Department of Commerce and Economic Development pursuant to P.L.1983, c.61 (C.52:27H-45 et seq.) is hereby transferred to and established in the Department of Military **[**and Veterans'**]** Affairs. The council shall consist of 22 members: two to be appointed by the President of the Senate from the members thereof, no more than one of whom shall be from the same political party; two to be appointed by the Speaker of the General Assembly from the members thereof, no more than one of whom shall be from the same political party; the Adjutant General of the Department of Military **[**and Veterans'**]** Affairs, the Commissioner of the Department of Veterans Affairs, the Commissioner of the New Jersey Commerce Commission, the Commissioner of Education, the Commissioner of Environmental Protection, the Commissioner of Transportation, the State Treasurer, the Commissioner of Community Affairs, the Commissioner of Labor and Workforce Development, and the Chair of the New Jersey Commission on Higher Education, or their designees; and **[**nine**]** eight public members to be appointed by the Governor, with the advice and consent of the Senate. **[**Eight**]** Seven of the public members shall be representatives of the community and business support groups for New Jersey's military installations and the United States Coast Guard training center. Each public member shall serve for a term of three years from the date of the member's appointment and until the member's successor is appointed and qualified. Vacancies resulting from causes other than by expiration of term shall be filled for the unexpired term only and shall be filled in the same manner as the original appointments were made.

(cf: P.L.2007, c.253, s.22)

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

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

(cf: P.L.1988, c.138, s.13)

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

38A:12-4. The Adjutant General, on behalf of the State is authorized to make application for, and accept from, the federal

government, or any agency thereof, a grant of money to pay part, or all of the cost of constructing armories or other military [and veterans'] facilities.

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

(cf: P.L.1988, c.138, s.16)

86. Section 2 of P.L.1968, c.278 (C.38A:13-9) is amended to read as follows:

2. The death benefit provided for in section 1 of [this act] P.L.1968, c.278 (C.38A:13-8) shall not be payable where there is a lump sum death benefit payable as a result of the deceased militiaman's membership in a public employees' pension system, or when the militiaman was detailed to the Department of Military [and Veterans'] Affairs in a permanent duty status and entitled to benefits out of Federal funds.

(cf: P.L.1988, c.138, s.19)

87. Section 2 of P.L.2013, c.238 (C.38:17-2.1) is amended to read as follows:

2. The county medical examiner, or a designee, shall be responsible for the positive identification of an unidentified indigent deceased person. The supervisor of veterans' interment or county medical examiner, as appropriate, shall contact the Department of [Military and Veterans'] Veterans Affairs upon receipt of an unclaimed indigent deceased person to ascertain the veteran status of the person. The supervisor of veterans' interment or county medical examiner, as appropriate, shall be notified upon determination of the veteran status of the person. If the person was a veteran discharged under conditions other than dishonorable, the supervisor of veterans' interment or county medical examiner, as appropriate, shall cause burial or cremation to occur within 72 hours of notification of veteran status.

For the purposes of this section:

"Indigent" shall mean a person who has an income that is below 200 percent of the federal poverty level; and

"Poverty level" shall mean the official poverty level based on family size established and adjusted under Section 673(2) of Subtitle B. of the federal "Community Services Block Grant Act," Pub.L.97-35 (42 U.S.C. s.9902(2)).

(cf: P.L.2023, c.17, s.2)

88. R.S.38:18-3 is amended to read as follows:

38:18-3. Evidence of the service and disability mentioned in R.S.38:18-1 shall be furnished to the [Division of Veterans

Services of the】 Department of 【Military and Veterans'】 Veterans Affairs, which shall examine the same and upon being satisfied that the service was performed and the soldier has been rendered totally blind as a result thereof, shall so certify to the Director of the Division of Budget and Accounting who shall, upon receipt thereof, draw a warrant on the State Treasurer in favor of the applicant in a bulk sum for any accrued payments and in the sum of $1,800 annually, which the State Treasurer shall pay out of the money appropriated therefor by the Legislature.
(cf: P.L.2022, c.105, s.2)

89. R.S.38:20-3 is amended to read as follows:

38:20-3. Application for such benefits shall be made to the Department of 【Military and Veterans'】 Veterans Affairs, which shall make rules and regulations to effectuate the provisions thereof. It shall ascertain and approve the educational aptitude of the applicant for the course of study desired to be pursued in accordance with tests or standards prescribed or approved by the State Department of Education and the financial need of the applicant and may satisfy itself of the attendance of such applicants and the accuracy of the charges made by the institution which the applicant attends. No more than four annual allotments of $500.00 each shall be allowed any such applicant.
(cf: P.L.1991, c.39, s.1)

90. Section 1 of P.L.1974, c.55 (C.52:14-15.107) is amended to read as follows:

1. Notwithstanding the provisions of the annual appropriations act and section 7 of P.L.1974, c.55 (C.52:14-15.110), the annual salary for each of the following officers shall be $210,000 in calendar year 2024 and thereafter:

Title
Agriculture Department
Secretary of Agriculture
Children and Families Department
Commissioner of Children and Families
Community Affairs Department
Commissioner of Community Affairs
Corrections Department
Commissioner of Corrections
Education Department
Commissioner of Education
Environmental Protection Department
Commissioner of Environmental Protection
Health Department
Commissioner of Health
Human Services Department
Commissioner of Human Services

Banking and Insurance Department
Commissioner of Banking and Insurance
Labor and Workforce Development Department
Commissioner of Labor and Workforce Development
Chairperson of the Civil Service Commission
Law and Public Safety Department
Attorney General
Colonel and Superintendent, State Police
Director of the Office of Homeland Security and Preparedness
Military [and Veterans'] Affairs Department
Adjutant General
State Department
Secretary of State
Secretary of Higher Education
Transportation Department
Commissioner of Transportation
Chief Administrator, New Jersey Motor Vehicle Commission
Treasury Department
State Treasurer
State Comptroller
Chief Technology Officer
Veterans Affairs Department
Commissioner of Veterans Affairs
Members, Board of Public Utilities
(cf: P.L. 2023, c.349, s.5)

[1]91. N.J.S.38A:12-1 is amended to read as follows:

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 State of New Jersey such real property as shall be necessary for the purpose of armories or other military [and veterans'] facilities.

No real property leased by this State or the United States for armories or other military [and veterans'] facilities shall be subject to condemnation proceedings without first obtaining the approval of the Governor.[1]
(cf: P.L.1988, c.138, s.14)

[1]92. N.J.S.38A:12-3 is amended to read as follows:

38A:12-3. The Adjutant General shall, in compliance with the provisions of P.L.1954, c.48 (C.52:34-6 et seq.), supervise the construction, repair and alterations of armories and other military [and veterans'] facilities.[1]
(cf: P.L.1988, c.138, s.15)

[1]93. N.J.S.38A:12-5 is amended to read as follows:

38A:12-5. The Adjutant General may lease, rent or permit the use of any armory or other military [and veterans'] facility, or any part thereof, for nonmilitary purposes, under such restrictions and for such compensation, if any, as he may by regulation prescribe.[1]

(cf: P.L.1988, c.138, s.17)

[1]94. N.J.S.38A:12-6 is amended to read as follows:

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

Furthermore, if it will not interfere with or impair military [or veterans'] activities, the Adjutant General, on behalf of the State, may convey an easement to the county or municipality in which the land is situated or to a public utility company 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.[1]

(cf: P.L.1988, c.138, s.18)

[1]95. N.J.S.38A:12-7 is amended to read as follows:

38A:12-7. The proceeds of any sale made pursuant to [section] N.J.S.38A:12-6 [of this Title] shall be deposited as received with the State Treasurer and maintained by him in a separate account. Moneys credited to such an account shall be appropriated and used for the purchase of real property or for the construction, alteration or renovation of buildings for the use of the militia.[1]

(cf: P.L.1963, c.109, s.1)

[1]96. Section 4 of P.L.2000, c.127 (C.18a:66-2.2) is amended to read as follows:

4. The [Adjutant General] Commissioner of the Department of [Military and Veterans'] Veterans Affairs shall be responsible for determining whether any person seeking to be considered a "veteran" under N.J.S.18A:66-2, for the purpose of eligibility for a veteran's retirement allowance, meets the criteria set forth therein and adjudicating an appeal from any person disputing this determination. The determination of the [Adjutant General] commissioner shall be binding upon the Division of Pensions and Benefits.[1]

(cf: P.L.2000, c.127, s.4)

[1]97. Section 5 of P.L.2000, c.127 (C.43:15A-6.1) is amended to read as follows:

5. The ⟦Adjutant General⟧ Commissioner of the Department of ⟦Military and Veterans'⟧ Veterans Affairs shall be responsible for determining whether any person seeking to be considered a "veteran" under section 6 of P.L.1954, c.84 (C.43:15A-6), for the purpose of eligibility for a veteran's retirement allowance, meets the criteria set forth therein and adjudicating an appeal from any person disputing this determination. The determination of the ⟦Adjutant General⟧ commissioner shall be binding upon the Division of Pensions and Benefits.[1]

(cf: P.L.2000, c.127, s.5)

[1]98. Section 6 of P.L.2000, c.127 (C.43:16A-11.7a) is amended to read as follows:

6. The ⟦Adjutant General⟧ Commissioner of the Department of ⟦Military and Veterans'⟧ Veterans Affairs shall be responsible for determining whether any person seeking to be considered a "veteran" under section 1 of P.L.1983, c.391 (C.43:16A-11.7), for the purpose of purchasing military service credit, meets the criteria set forth therein and adjudicating an appeal from any person disputing this determination. The determination of the ⟦Adjutant General⟧ commissioner shall be binding upon the board of trustees.[1]

(cf: P.L.2018, c.55, s.11)

[1]⟦91.⟧ 99.[1] Sections 11, 13 through 16, and 29 through 37 of P.L.1987, c.444 (C.38A:3-4.1, 38A:3-12 through 38A:3-15, 38A:3-2a through 38A:3-2i);

section 2 of P.L.1973, c.284 (C.38A:3-2.2);

section 2 of P.L.1989, c.135 (C.38A:3-2b1);

sections 1 and 2 of P.L.1993, c.281 (C.38A:3-2b2 and 38A:3-2b3);

section 14 of P.L.1991, c.273 (C.38A:3-2d1);

sections 1 of P.L.2021, c.215 (C.38A:3-2b2.1);

sections 1 of P.L.2021, c.216 (C.38A:3-2b2.2);

sections 1 of P.L.2021, c.217 (C.38A:3-2b2.3);

section 1 of P.L.2000, c.127 (C.38A:3-6a);

sections 1 and 3 of P.L.2013, c.239 (C.38A:3-6.2a and 38A:3-6.2b);

sections 1 and 2 of P.L.2019, c.207 (38A:3-6.2c and 38A:3-6.2d)

sections 1 through 16 of P.L.1989, c.162 (C.38A:3-6.3 through 38A:3-6.18);

sections 3 through 17 of P.L.1999, c.46 (C.38A:3-23 through 38A:3-37); and

sections 5 and 6 of P.L.1996, c.150 (C.38A:3-6.4a and 38A:3-6.4b), are repealed.

[1]⟦92.⟧ 100.[1] This act shall take effect 120 days following enactment, except that such anticipatory administrative action may

be taken in advance as shall be deemed necessary for the implementation of this act.

Establishes Department of Veterans Affairs.

CHAPTER 139

AN ACT establishing a new Department of Veterans Affairs in the Executive Branch of State government, creating a new Title 38B of the New Jersey Statutes, amending various parts of the statutory law, and repealing various statutes.

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

Short title.

38A:21-1. This act, N.J.S.38A:21-1 et al., shall be known and may be cited as the "New Jersey Department of Veterans Affairs Act."

Department of Veterans Affairs.

38A:21-2. There is established in the Executive Branch of the State government a principal department which shall be known as the Department of Veterans Affairs.

Definitions.

38A:21-3. As used in this act, N.J.S.38A:21-1 et al.:

"Commissioner" means the Commissioner of the Department of Veterans Affairs;

"Department" means the Department of Veterans Affairs established pursuant to this act; and

"Veteran" means any person who has served in any branch of the Armed Forces of the United States for at least 90 days, except that if the term "veteran" is defined differently in any other provision of this act, any other statute, or in any federal statute, that definition shall be applicable for the purposes of those statutes.

Commissioner of the Department of Veterans Affairs.

38A:21-4. The administrator and head of the department shall be a commissioner, who shall be known as the Commissioner of the Department of Veterans Affairs and who shall be an honorably discharged veteran qualified by training and experience to perform the duties of the office. The commissioner shall be appointed by the Governor with the advice and consent of the Senate and shall serve at the pleasure of the Governor during the Governor's term of office and until the appointment and qualification of the commissioner's successor. The entire time of the commissioner shall be devoted to the duties of the office and the commissioner shall receive such salary as shall be provided by law. Any vacancy occurring in the office of the commissioner shall be filled in the same manner as the original appointment.

Functions, powers, duties, Department of Veterans Affairs commissioner.

38A:21-5. The commissioner, as head of the department, shall have all of the functions, powers, and duties heretofore vested in the Administrator of Veterans Affairs of the Department of Military and Veterans' Affairs, previously designated in N.J.S.38A:3-2, and shall, in addition to the functions, powers, and duties vested in the commissioner by this act, N.J.S.38A:21-1 et al., or by any other law, which are as follows:

a. Administer the work of the department;

b. Appoint and remove officers and other personnel employed within the department, subject to the provisions of Title 11A of the New Jersey Statutes and other applicable statutes, except as herein otherwise specifically provided;

c. Have authority to organize and maintain an administrative division and to assign to employment therein secretarial, clerical, and other assistants in the department's or the commissioner's office as the internal operations of the department may require, in accordance with Title 11A of the New Jersey Statutes;

d. Perform, exercise, and discharge the functions, powers, and duties of the department through such divisions as may be established by this act or otherwise by law;

e. 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 commissioner may determine to be necessary for efficient and effective operation;

f. 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 as may be necessary to implement this act or as may be authorized by law;

g. Formulate and adopt rules and regulations for the efficient conduct of the work and general administration of the department, its officers, and its employees;

h. Institute, or cause to be instituted, legal proceedings or processes as may be necessary to properly enforce and give effect to any of the commissioner's powers or duties;

i. Coordinate the activities of the department, and the other divisions and agencies therein, in a manner designed to eliminate overlapping and duplicative functions;

j. Integrate within the department, so far as practicable, all staff services of the department and of the other divisions and agencies therein;

k. Have access to all relevant files and records of other State agencies and require any officer or employee therein to provide information as necessary to assist in performing the functions of the department, subject to any privacy laws;

l. Maintain suitable headquarters for the department and such other quarters as the commissioner shall deem necessary to the proper functioning of the department;

m. Encourage and facilitate the registration of each service member residing in New Jersey with the United States Department of Veterans Affairs or its successor agency. Registration shall take place, as appropriate, when the service member returns from deployment on federal active duty, or is discharged, or as soon as possible thereafter. The term "service member" shall mean members of the New Jersey National Guard and members of the United States Armed Forces, or a Reserve component thereof, when the information on each member is made available to the department;

n. Develop and coordinate a volunteer-based program comprised of former service members to assist and mentor veterans who become involved with the criminal justice system, while criminal proceedings are pending and afterward, with accessing assistance to resolve the underlying problems that led or contributed to the veteran's involvement with the criminal justice system including, but not limited to, offering support and guidance, securing housing, employment linkages, job training, education, transportation, disability compensation claims, discharge status, health care, and other linkages available at the local, State, and federal level that can ease the challenge of reentry into civilian life. In addition, the commissioner shall develop a registry of volunteer mentors and make the registry available pursuant to P.L.2017, c.42 (C.2C:43-23 et al.);

o. Prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.);

p. Create a comprehensive public webpage for Gold Star family members that includes, but is not limited to, the following information: State benefits, State and county liaisons, a list of service members from New Jersey killed in action, links to other Gold Star family organizations, and such other information and resources as the commissioner deems necessary and beneficial to a Gold Star family member. A "Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States;

q. Maintain a regional network of Veteran Service Offices to assist veterans and their dependents with information and guidance in filing claims and to assist with employment, education, burial, counseling, housing, social and medical services, and other areas of concern to veterans and their families, as well as provide advice and support to veterans re-entering civilian life; and

r. Perform such other functions as may be prescribed in this act or by any other law.

Deputy commissioner, Department of Veterans Affairs.

38A:21-8. The commissioner shall appoint at least one deputy commissioner who shall be designated to perform all of the powers, functions, and duties of the commissioner during the absence or disability of the commissioner, and who shall perform such other duties as are assigned by the commissioner. The deputy commissioner shall be an honorably discharged veteran qualified by training and experience to perform the duties of the office.

Financial planning assistance program, disabled veterans, caregivers, Department of Veterans Affairs.

38A:21-9. The Department of Veterans Affairs, through its regional network of Veteran Service Offices, shall establish a financial planning assistance program for disabled veterans and their caregivers. The purpose of the program shall be to assist disabled veterans and their caregivers with planning for the financial burdens that may arise when a veteran is disabled and needs assistance with daily care and activities including, but not limited to, bathing, dressing, meal preparation, assistance with mobility, housekeeping, shopping, and driving or transportation.

"Caregiver" means a spouse, parent, child, relative, or other person who is 18 years of age or older and who has the primary responsibility of providing daily care for the eligible veteran.

"Disabled veteran" means any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service in any branch of the Armed Forces of the United States, a Reserve component thereof, or the National Guard and who has been or shall be declared by the United States Department of Veterans Affairs, or its successor, to have a service-connected disability.

Federal grants, Department of Veterans Affairs.

38A:21-10. The commissioner may apply for and accept on behalf of the State any grants from the federal government or any agency thereof, or from any foundation, corporation, association, or individual, and may comply with the terms, conditions, and limitations thereof, for any purposes of the department. Any money so received may be expended by the department, subject to any limitations imposed in such grants, to effect any of the purposes of the department, as the case may be, upon warrant of the Director of the Division of Budget and Accounting in the Department of the Treasury on vouchers certified and approved by the commissioner. The power herein granted shall be in addition to, and shall in no way limit the authority granted to the commissioner by, this act, N.J.S.38A:21-1 et al., or any other existing law.

Department of Veterans Affairs, principal functions.

38A:21-11. The department shall administer the following principal functions:

a. The supervision and operation of State veterans' memorial homes and cemeteries;

b. The supervision and operation of the liaison office and the field offices which serve the federal Veterans' Affairs Medical Centers;

c. The application for federal grants and programs;

d. The administration of federally funded training and rehabilitation programs; and

e. The provision of current information to the general public on State and federal veterans' programs and benefits.

Nothing in this section shall be construed as affecting or derogating from any provision of law giving functions, powers, and duties in these areas to other departments or agencies or as giving additional functions, powers, and duties to the commissioner or the department.

Determining person seeking to be considered a veteran, disabled veteran.

38A:21-12. The Commissioner of the Department of Veterans Affairs shall determine whether any person seeking to be considered a "veteran" or a "disabled veteran" under N.J.S.11A:5-1, N.J.S.18A:66-2, section 6 of P.L.1954, c.84 (C.43:15A-6) or section 1 of P.L.1983, c.391 (C.43:16A-11.7), meets the criteria set forth therein and shall be considered a veteran or disabled veteran, as appropriate, for the purposes of these laws. The commissioner shall adjudicate an appeal from any person disputing the decision of the commissioner as to whether a person is to be considered a veteran or disabled veteran, as appropriate, for the purposes of these laws. The commissioner shall promptly notify the public entity responsible for administering each such law of the determination of the commissioner, and the determination shall be binding on such public entities.

Department of Veterans Affairs personnel.

38A:21-13. The personnel of the Department of Veterans Affairs shall consist of the following classes of employees:

a. Classified civil service employees.

b. Unclassified civil service employees, who may be relieved, suspended, or discharged for good cause. Such personnel shall be administered as far as practicable under similar regulations as those applicable to classified civil service.

Department of Veterans Affairs, annual budget.

38A:21-14. a. The department shall submit its annual budget request directly to the Governor and the State Treasurer.

b. The commissioner may demand and receive, for the services of the department, except for establishment of veteran status, such fees as the commissioner shall determine. The commissioner shall keep a true record and account of fees received on behalf of the department pursuant to this section and shall pay the same into the State Treasury in the manner prescribed by law.

Department of Veterans Affairs, appropriate seal.

38A:21-15. The commissioner shall have an appropriate seal and have affixed an impression of the same to all certificates of record issued from the Department of Veterans Affairs. Copies of any books, records, papers, and documents in the Department of Veterans Affairs certified by the commissioner or other designated officer of the department, under seal of the Department of Veterans Affairs, shall be admitted as evidence in any court of the State, either civil or military, with the same force and effect as if the original had been produced.

Department of Veterans Affairs, administrative services.

38A:21-16. The department, through its divisions, shall administer veteran:

a. administrative services;

b. loans, grants, and services; and

c. training, information, and referrals.

Salary established by commissioner, with approval, Department of Veterans Affairs.

38A:21-17. a. A director of a division in the department shall receive such salary as may be established by the commissioner with the approval of the Civil Service Commission and the Director of the Division of Budget and Accounting in the Department of the Treasury.

b. In the event that a director is appointed from persons holding positions in the career service of the State, the director shall retain, during tenure in such position, any rights or protections provided to that person by Title 11A, Civil Service, of the New Jersey Statutes or any pension law or retirement system.

Department of Veterans Affairs, divisions, memorial services.

38A:21-18. The department, through its divisions, shall:

a. supervise and operate all New Jersey Veterans' Memorial Homes, including: the New Jersey Veterans' Memorial Home-Menlo Park; the New Jersey Veterans' Memorial Home-Vineland; and the New Jersey Veterans' Memorial Home-Paramus;

b. supervise and operate all New Jersey Veterans' Memorial Cemeteries, including the New Jersey Veterans' Memorial Cemetery in Arneytown; and

c. supervise and operate all veterans' homeless shelter facilities owned by the State, including Veterans Haven North and Veterans Haven South.

Division under supervision of qualified director, Department of Veterans Affairs.

38A:21-19. Any division established or created by the commissioner shall be under the immediate supervision of a director who shall be qualified by training and experience to direct the work of the division. Preference shall be given to honorably discharged veterans qualified by training and experience to perform the duties of the division. The director shall be appointed by the commissioner and shall serve at the pleasure of the commissioner.

Drug testing, direct care staff member, veterans' memorial home.

38A:21-20. a. As a condition of employment as a direct care staff member at a New Jersey veterans' memorial home, an applicant for employment shall consent to and undergo drug testing for controlled dangerous substances as provided in subsection f. of this section. The drug testing shall be at the expense of the applicant.

If a person applying for employment at a New Jersey veterans' memorial home on or after April 16, 2020 tests positive for the unlawful use of any controlled dangerous substance, or refuses to submit to drug testing, the person shall be removed from consideration for employment.

b. A person who is employed at a New Jersey veterans' memorial home as a direct care staff member shall be subject to random drug testing for controlled dangerous substances performed at such intervals as the commissioner deems appropriate. The commissioner shall annually perform random drug tests on 100 direct care staff members.

c. A person who is employed at a New Jersey veterans' memorial home as a direct care staff member may be required to undergo drug testing for controlled dangerous substances if the employee's immediate supervisor has reasonable suspicion to believe that the employee is illegally using a controlled dangerous substance, based on the employee's visible impairment or professional misconduct, which relates adversely to patient care or safety. The supervisor shall report this information to the immediate supervisor in a form and manner specified by the commissioner, and if the supervisor concurs that there is reasonable suspicion to believe that an employee is illegally using a controlled dangerous substance, that supervisor shall

notify the chief executive officer of the New Jersey veterans' memorial home, or other executive level officer of the veterans' memorial home designated by the commissioner, and request approval in writing for ordering the employee to undergo drug testing. Drug testing of an employee shall not be ordered without the written approval of the chief executive officer or other executive level officer designated by the commissioner.

d. An employee who tests positive for the unlawful use of any controlled dangerous substance may be referred to employee advisory services or terminated from employment, as applicable, based on the employee's job title. An employee who refuses to submit to drug testing shall be terminated from employment. In all cases, however, the employee shall retain any available right of review by the Civil Service Commission.

e. The drug testing required pursuant to subsections b. and c. of this section shall be at the expense of the Department of Veterans Affairs.

f. Drug testing shall be performed by an outside drug testing facility in a manner prescribed by the commissioner.

g. The commissioner shall notify all affected employees of New Jersey veterans' memorial homes of the provisions of this section.

h. As used in this section, "direct care staff member" means a: Human Services Technician; Human Services Assistant; physician; psychiatrist; dentist; psychologist; nurse; nurse assistant; physical, occupational, or speech therapist; social worker; and any other staff member employed by a veterans' memorial home who provides direct care to a resident at the facility, as determined by the commissioner.

i. Pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the commissioner shall adopt rules and regulations necessary to effectuate the purposes of this section, including, but not limited to, those rules and regulations necessary to ensure the confidentiality of the person undergoing drug testing, and that drug test results are not reported to law enforcement authorities.

Transfer of remains, Brigadier General William C. Doyle Veterans' Memorial Cemetery.

38A:21-21. The department shall establish a program to oversee the transfer of the remains of veterans from paupers' or potters' cemeteries to the Brigadier General William C. Doyle Veterans' Memorial Cemetery at the request of the veterans' next-of-kin, friends, or fellow veterans. This service shall be provided without cost to the requester. As part of this program, the department shall also inform the general public that this service is available and explain the procedure for requesting that the remains be transferred to the Brigadier General William C. Doyle Veterans' Memorial Cemetery.

Qualified veterans' organization, right to receive cremains.

38A:21-22. a. A funeral director, licensed pursuant to P.L.1952, c.340 (C.45:7-32 et seq.), shall grant a qualified veterans' organization, as defined in subsection b. of section 2 of P.L.1983, c.385 (C.26:7-18.2), the right to receive the cremains of a veteran, or the cremains of an eligible spouse or eligible dependent of a veteran, which have not been claimed by a relative or friend of the deceased within one year after cremation upon certification, to the satisfaction of the Commissioner of Health, that a diligent effort, as defined in subsection a. of section 2 of P.L.1983, c.385 (C.26:7-18.2), has been made to identify, locate, and notify a relative or friend of the deceased within that one-year period, as provided under section 2 of P.L.1983, c.385 (C.26:7-18.2).

A qualified veterans' organization which takes possession of cremains pursuant to this section shall dispose of the cremains by scattering them at sea or by interring them on land in

a dignified manner at the State-operated Brigadier General William C. Doyle Veterans' Memorial Cemetery, a State-operated veterans' memorial cemetery, a national veterans' memorial cemetery, or a local veterans' memorial cemetery, if the individual is eligible for interment at those facilities.

b. A funeral home or mortuary, or an agent of the funeral home or mortuary, a funeral director, or a qualified veterans' organization shall not be liable for damages in any civil action arising out of the disposal of cremains pursuant to this section unless the damages are the result of gross negligence or willful misconduct.

Department of Veterans Affairs, services, blind, paraplegic, hemiplegic.

38A:21-23. The department, through its divisions, shall:

a. administer the Blind Veterans' Allowance Program established pursuant to R.S.38:18-1 et seq.;

b. administer the Paraplegic and Hemiplegic Allowance Program established pursuant to P.L.1947, c.263 (C.38:18A-1 et seq.);

c. maintain a continuous liaison with the Association of Blind Veterans and other similar State and national veterans' associations and organizations;

d. provide all necessary assistance to the Agent Orange Commission upon request;

e. administer the veterans' loan authority established pursuant to P.L.1944, c.126 (C.38:23B-1 et seq.);

f. supervise and operate the liaison and field offices which serve the federal Veterans' Administration Centers at Lyons and East Orange;

g. compete for all grants, private and federal, that would fund programs to benefit the State's veterans and their dependents; and

h. administer State tuition assistance programs for veterans and their dependents established pursuant to the provisions of chapter 71 of Title 18A of the New Jersey Statutes.

Department of Veterans Affairs, services, outreach, rehabilitation, educational programs.

38A:21-24. The department, through its divisions, shall:

a. administer the operations of the Vietnam Veterans' Outreach Program;

b. administer all federal and State training and rehabilitation programs not administered by other State departments;

c. provide current information to the general public on federal and State veterans' programs and benefits; and

d. provide a continuous liaison between the department, the Department of Education, and the Office of the Secretary of Higher Education to insure that veterans or their dependents seeking to apply for educational programs for veterans or their dependents are referred to the appropriate State office and provided with the information, forms, and assistance necessary to apply for those programs.

Establishment of standards, procedures, Department of Veterans Affairs, definitions.

38A:23-1. a. As used in this section and N.J.S.38A:23-2 through 38A:23-14, inclusive:

"Advisory council" means the advisory council of a veterans' facility.

"Member" means a person admitted to and receiving care in a veterans' facility.

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

"Veterans' facility" means any home, institution, hospital, or part thereof, the admission to which is under the jurisdiction of the United States Department of Veterans Affairs.

b. Subject to the provisions of this section, the Commissioner of the Department of Veterans Affairs shall be authorized, directed, and empowered to take such actions, and to issue such reasonable rules and regulations, as may be necessary for carrying out the purposes of N.J.S.38A:23-2 through 38A:23-14, inclusive, including specifically to:

(1) provide standards and procedures for the application and determination of eligibility for admission to veterans' facilities;

(2) establish standards and methods for designating the veterans' facility in which an eligible person shall receive care and treatment consistent with available services and individual needs and circumstances;

(3) establish standards of care, treatment, and discipline governing the relationships between the veterans' facilities and persons admitted thereto consistent with and subject to State and federal rules, regulations, and standards of care;

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

(5) negotiate and enter into agreements or contracts with the Veterans Administration or any other appropriate State or federal agency and to organize the work of the veterans' facilities, giving due regard to the opinion of the advisory councils, in any manner consistent with law to comply with the reasonable requirements of such State and federal agencies in order to secure the maximum financial assistance and services for carrying out the purposes of N.J.S.38A:23-2 through 38A:23-14, inclusive.

Application for admission to veterans' facility.

38A:23-2. All applications for admission to a veterans' facility shall be made to, and in the manner and form prescribed by, the commissioner. The applicant shall provide a statement that the applicant will accept placement in the facility designated by the commissioner and will abide by the rules, regulations, and discipline of the facility to which the applicant is admitted.

Persons without sufficient financial ability for care, support, requirements, admission to veterans' facility.

38A:23-3. The following persons, if they are without sufficient financial ability to provide for their support and necessary care in the community, may be admitted to a veterans' facility:

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

b. The spouse of any person who has been admitted to a veterans' facility, provided that the spouse is not less than 50 years of age and has been married to such person for a period of not less than 10 years;

c. The surviving spouse of a person who died an honorable death while in the active military service of the United States, or who was a disabled veteran at the time of death, provided that the surviving spouse was the person's spouse at the time of the person's service or was married to the person not less than 10 years prior to the date of application and has not married since the person's death and provided that the surviving spouse has been a resident of New Jersey for at least two years prior to the date of application; and

d. The parent of a person who was a resident of New Jersey at the time of entry into, and who died an honorable death in time of war or emergency while in, the active military service

of the United States, provided that the parent has been a resident of New Jersey for at least two years prior to the date of application.

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

Temporary admission, veteran's facility.

38A:23-4. Any disabled veteran who is in distress may be admitted to a veterans' facility for a temporary period in accordance with the rules and regulations promulgated by the commissioner.

Entitlement to benefits, veterans' facility.

38A:23-5. A person admitted to a veterans' facility shall be entitled to all of its benefits and be furnished with the clothing, subsistence, medical and surgical attendance necessary to promote the person’s health and welfare in accordance with the rules and regulations of the commissioner.

Removal from veterans' facility.

38A:23-6. Any person may be removed from a veterans' facility on being restored the ability to promote the person’s own support and welfare in the community, for immorality, for fraud or willful misrepresentation, or for refusal to abide by the rules, regulations, and discipline of the veterans' facility.

Designated treatment unit for veterans, State hospitals.

38A:23-7. The commissioner may from time to time request that the commissioner of the department overseeing psychiatric hospitals designate any State hospital for the care of the mentally ill, or a part thereof, as a treatment unit for veterans who require such care and who are eligible for admission to a veterans' facility. Upon making such designation, the commissioner of the appropriate department shall cause to be filed with the Commissioner of the Department of Veterans Affairs and the Secretary of State a certificate setting forth the fact thereof, a description of the precise treatment unit so designated, and its location.

Requirements, admission of veteran to treatment unit.

38A:23-8. Admission of a veteran to a treatment unit as designated pursuant to N.J.S.38A:23-7 shall require:

a. a determination by the appropriate department that such veteran is mentally ill in accordance with the appropriate provisions of Title 30 of the Revised Statutes; and

b. a determination by the Commissioner of the Department of Veterans Affairs that such veteran is eligible for admission to a veterans' facility.

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

Department of Veterans Affairs commissioner authorized to receive federal funds, payments from members, family and friends, cost of care.

38A:23-9. The commissioner shall be authorized and empowered to accept and receive funds from the United States government or any agency thereof and to accept and receive

payments from all members and their family, relatives, and friends towards the cost of care and treatment as provided in the rules and regulations pertaining thereto.

Prohibition against closure, privatization of existing facility, exemptions, circumstances.

38A:23-10. a. Except in the case of an emergency condition, the commissioner shall not implement a decision to close an existing veterans' facility or to privatize any services, functions, or units of an existing facility if the commissioner finds that the decision shall result in the abolition of 100 or more non-vacant, full-time positions in the career service at the existing facility or facilities affected by the decision, unless the commissioner has complied with the procedures set forth in this section.

b. The commissioner shall conduct at least one public hearing, which shall be held in the region in which the facility is located, or a central location designated by the commissioner if more than one facility is affected by the decision, to provide an opportunity for the public to submit testimony on the proposed closing or privatization. The hearing shall be conducted at least 45 days in advance of a facility closure or at least 30 days prior to the issuance of a Request for Proposal. For a facility closure, the public hearing shall be held within 15 days of publication of a Notice of Intent to close a facility by the commissioner. The commissioner shall select a publicly convenient location for the hearing and shall give all persons the opportunity to testify in person or to submit written testimony.

c. The Notice of Intent to close a facility shall be mailed, telephoned, telegrammed, or hand delivered to at least two newspapers for publication, at least one of which shall be within the geographic boundaries of the county where the facility is located. Failure to comply with the requirements of this subsection shall not invalidate or delay any facility closure.

d. The commissioner shall prepare a report setting forth a fiscal impact analysis, policy rationale, and summary of the testimony received at any hearing held pursuant to this section. This report shall be submitted to the chairman of the Joint Budget Oversight Committee within five days of the issuance of a Notice of Intent to Award or within 30 days following the last scheduled public hearing for a facility closure.

Follow-up studies, former residents of State veterans' memorial homes, report to Governor, Legislature.

38A:23-11. The commissioner shall conduct, or contract with another entity to conduct, a series of follow-up studies to assess the well-being of all former residents of State veterans' memorial homes who have made a transition into the community after the effective date of this act, N.J.S.38A:21-1 et al., as a result of implementation of a plan to close a State veterans' memorial home and also an assessment of the well-being of all former residents for each of the five years after the closure.

The commissioner shall compile the results of the follow-up studies conducted pursuant to this section and shall include this information in a series of reports that the commissioner shall submit to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1).

The report of a follow-up study on the well-being of all former residents of State veterans' memorial homes, who have made a transition into the community after the effective date of this act as a result of the implementation of a plan to close a State veterans' memorial home, shall be submitted one year after the beginning of implementation of the plan, and annually thereafter, until the veterans' memorial home has closed. In addition, for each of the five years after the closure of a home, a report of a follow-up study on the well-being of all former residents of the home shall be submitted.

Reports submitted pursuant to this section shall be made publicly available on the website of the Department of Veterans Affairs.

Department of Veterans Affairs advisory councils.

38A:23-12. There are established in the Department of Veterans Affairs four advisory councils known as:

a. The New Jersey Veterans' Memorial Home Advisory Council-Menlo Park;

b. The New Jersey Veterans' Memorial Home Advisory Council-Vineland;

c. The New Jersey Veterans' Memorial Home Advisory Council-Paramus; and

d. The New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown.

Each advisory council shall consist of seven members, at least five of whom are veterans, to be appointed by the commissioner. The term of each council member, except for the initial members, shall be three years commencing on July 1 and ending on June 30 of the third year thereafter, and any vacancy shall be filled for the unexpired term only.

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

Duties of advisory councils, Department of Veterans Affairs.

38A:23-13. Subject to the provisions of this act, N.J.S.38A:21-1 et al., and under general policies established by the commissioner, the advisory councils of the veterans' facilities shall:

a. recommend standards and procedures for application and termination of eligibility for admission to veterans' facilities;

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 needs and circumstances;

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

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

Unclaimed moneys, effects deposited by member, trust, veterans' facility.

38A:23-14. Moneys, choses in action, and effects deposited by a member in trust with the veterans' facility and unclaimed at the death of the member, dying intestate, shall be deemed to be the property of the veterans' facility. Such property shall be held in trust for three years following the death of the depositor, with power to invest the funds and to use the income for the benefit of the members as the advisory council of the veterans' facility and the commissioner deem most advisable.

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

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

New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown, duties.

38A:23-15. Subject to the provisions of this act, N.J.S.38A:21-1 et al., and under general policies established by the commissioner, the New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown shall:

a. recommend standards and procedures for application and determination of eligibility for interment in the veterans' cemetery; and

b. advise the commissioner regarding operating policies and procedures as they apply to veterans' family members, funeral directors, and the relationship of the veterans' cemetery with the other veterans' facilities.

Reference to Adjutant General deemed reference to Commissioner, Department of Veterans Affairs, Military Affairs, veterans' memorial homes.

38A:23-16. In conjunction with the New Jersey Veterans' Memorial Home Advisory Council-Menlo Park, the New Jersey Veterans' Memorial Home Advisory Council-Vineland, the New Jersey Veterans' Memorial Home Advisory Council-Paramus, and the New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown, any reference in any law, contract, or document to the Adjutant General of the Department of Military and Veterans' Affairs or the department shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs or the Department of Veterans Affairs.

Department of Veterans Affairs, program, memorial home, guardian of veteran, assistance.

38A:23-17. There is established by the department a program to assist an eligible family member of a veteran who is already in a New Jersey veterans' memorial home, or an eligible family member of a veteran who is about to enter such a home, in being appointed as guardian of the veteran. In the event that a family member of a veteran who is already in a New Jersey veterans' memorial home, or is about to enter such a home, is not willing or available to serve as guardian of that veteran, some other interested person closely associated with the veteran shall be eligible for assistance in being appointed as guardian under the program herein established. The assistance provided to a family member of a veteran or to some other interested and eligible person associated with a veteran shall be in the form of both technical and financial support.

The commissioner shall develop economic criteria for determining eligibility for financial assistance pursuant to the program established by this section.

Quarterly town hall meetings, veterans' memorial home.

38A:23-18. The department shall ensure that each veterans' memorial home shall hold quarterly town hall meetings with all veterans' guardians appointed pursuant to N.J.S.38A:23-17 and persons otherwise having the veteran's power of attorney. The meetings may take place in person or remotely using the Internet or other electronic means.

Whenever a public health emergency is declared by the Governor pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), each veteran's guardian appointed pursuant to N.J.S.38A:23-17, or each person otherwise having the veteran's power of attorney, shall be allowed to remove the veteran from the veterans' memorial home pursuant to procedures established under Department of Veterans Affairs rules and regulations, except the department shall allow for an initial extension of up to 30 days and one additional extension of up to 30 days. The resident veteran shall be required to continue to pay the care and maintenance fee while on temporary furlough to hold a bed. Regular operating procedures shall resume at the conclusion of the public health emergency.

The department shall ensure that each veterans' memorial home shall communicate updates to each veteran's guardian appointed pursuant to N.J.S.38A:23-17, and each person otherwise having the veteran's power of attorney, through a minimum of two communication means, which shall include regular mail, email, text message, and voice.

Weekly report, status of State veterans' memorial homes, public health emergency.

38A:23-19. a. Notwithstanding the provisions of any law, rule, or regulation to the contrary, the Commissioner of the Department of Veterans Affairs shall transmit a weekly report on the status of the State veterans' memorial homes to the Commissioner of the Department of Health whenever a public health emergency, pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), has been declared by the Governor and is in effect. The weekly report shall include:

(1) the number of residents and staff in each veterans' home, including comparisons to previous reports;

(2) any significant health risks posed to the residents and staff in each veterans' home due to the public health emergency;

(3) any changes in operating procedures in each veterans' home due to the public health emergency; and

(4) the amount of personal protective equipment available to residents and staff at each veterans' home.

b. As used in this section:

(1) "veterans' home" means the New Jersey Veterans' Memorial Home-Menlo Park, the New Jersey Veterans' Memorial Home-Vineland, and the New Jersey Veterans' Memorial Home-Paramus.

(2) "personal protective equipment" means any items commonly used to protect an individual from bacterial or viral infections, including, but not limited to, disinfecting wipes, disposable gloves, disposable gowns, face shields, N95 face masks, surgical masks, or parts thereof.

Resident advocate, State veterans' memorial homes.

38A:23-20. a. The Department of Veterans Affairs shall establish a position to be known as a resident advocate at each State veterans' memorial home. The resident advocate shall have a direct reporting relationship to the director of the division that oversees the veterans' memorial homes.

b. The resident advocate shall:

(1) act as a liaison between the State veterans' memorial home and each of the residents at the State veterans' memorial home;

(2) receive complaints from residents at the State veterans' memorial home; and

(3) respond to any concerns or grievances from the residents at the State veterans' memorial home and, if appropriate, submit concerns or grievances to the State Long-Term Care Ombudsman.

c. A resident advocate who receives an oral or written complaint from a resident at a State veterans' memorial home shall log the complaint from the resident on a written or electronic form. The division that oversees the veterans' memorial homes shall develop, publish, and distribute the written and electronic form to be used by the resident advocate. At a minimum, the written and electronic form shall contain spaces for:

(1) the name of the resident submitting the complaint;

(2) the nature of the complaint;

(3) whether the complaint is an emergency that requires an immediate response, a critical situation that requires a reasonably prompt response, or a noncritical situation that requires an appropriately timely response; and

(4) a plan of action for the complaint and an estimated time frame within which the action will be taken.

d. A resident advocate who fills out a form under subsection c. of this section shall provide one copy of the form to the resident submitting the complaint and one copy to the administrator of the State veterans' memorial home. The resident advocate shall also retain the advocate's copy for not less than one year after the complaint is resolved.

e. A State veterans' memorial home shall make every reasonable effort to make the resident advocate at that memorial home easily identifiable by posting the name and work hours of the resident advocate and shall make every reasonable effort to assure that the plan of action prepared by the resident advocate pursuant paragraph (4) of subsection c. of this section is carried out within the time frame set forth in the plan of action.

Veterans' preference, private employment, voluntary commitments.

38A:22-1. a. The department shall organize and administer a program of voluntary commitments by employers throughout the State to participate in a plan of veterans' preference in private employment and reemployment.

b. The plan of veterans' preference in private employment shall provide for the fixing of a quota of veterans by the commissioner for all participating employers, but may not require any employed worker to be discharged. The plan shall also provide for the classification of disabled veterans in occupations for which they would not be handicapped and for first preference in such occupations for such disabled veterans.

c. In the organization and administration of the employment quota preference plan, the commissioner, through appropriate federal, State, and local agencies, shall:

Enroll employers who voluntarily commit themselves to the plan and certify the right of such employers to approved forms of public recognition;

Register veterans desiring employment, according to their occupational experience and capacities;

Register labor unions which are willing to participate through appropriate adjustment of their membership and other requirements and certify the right of such unions to approved forms of public recognition;

Receive requests for workers from all participating employers; and

Either refer qualified veterans, with preference to the disabled, in response to such requisitions or certify that veterans are not available.

Approval, disapproval of policies, work programs related to veterans.

38A:22-2. The department shall review and approve or disapprove all policies and work programs of State departments, agencies, and instrumentalities relating to veterans' welfare, services, or activities. No such activity or work program shall be undertaken or continued after disapproval by the department without specific authorization from the Governor.

Dependent of prisoner of war, person missing in action, tuition-free higher education.

38A:22-3. a. Any dependent of a prisoner of war or a person missing in action, upon being accepted to pursue a course of undergraduate study in any private institution of higher education in this State or in any public institution of higher education of this State as enumerated in N.J.S.18A:62-1, shall be allowed to obtain a bachelor's degree, or certificate of

completion, for so long as he is eligible, free of tuition. Once a person qualifies as a dependent under this section, there shall be no situation such as the return of the parent or the reported death of the parent that will terminate the eligibility of the dependent to receive the benefits under this section.

b. As used in this section:

"Dependent" means any child born before, during, or after the period of time the child's parent was a prisoner of war or a person missing in action, or any child legally adopted or in the legal custody of the parent prior to, during, or after the time the parent was a prisoner of war or a person missing in action.

"Prisoner of war" and "person missing in action" means any person who was a resident of this State at the time he or she entered service in the United States Armed Forces, or whose official residence is within this State, and who, while serving in said United States Armed Forces, has been declared to be a prisoner of war, or to be a person missing in action as established by the Secretary of Defense after January 1, 1960.

Courses considered full-time, Veteran's Educational Assistance, definitions.

38A:22-4. a. As used in this section:

"Approved course of study" means any curriculum or any combination of unit courses or subjects pursued at an educational institution which is accepted for Veteran's Educational Assistance pursuant to federal law.

"Approved educational institution" means (1) any academic, professional, or vocational school operating within this State; (2) any graduate level school operating within the United States; or (3) any academic, professional, or vocational school operating outside of this State, provided that the institution shall have made a prior written agreement to accept the tuition credit and reimbursement provided for in this section and provided, further, that no more than 20% of the eligible veterans under subparagraphs (2) and (3) of this paragraph shall attend an approved educational institution operating outside of this State. To qualify as an "approved educational institution" under this section, an institution shall have been approved for Veteran's Educational Assistance pursuant to federal law.

"Eligible veteran" means any veteran of the Armed Forces of the United States residing in New Jersey who is or was eligible for Veteran's Educational Assistance pursuant to federal law and who (1) was domiciled in New Jersey at the time of induction into the Armed Forces or (2) has been domiciled in New Jersey for a period of not less than 12 consecutive months prior to the date of application, exclusive of any time spent on active duty.

b. For the purposes of this section:

An institutional trade or technical course offered at a nonaccredited school on a clock-hour basis involving shop practice as an integral part thereof shall be considered a full-time course when a minimum of 30 hours per week of attendance is required with no more than two and one-half hours of rest periods per week and no more than three hours of supervised study per week allowed;

An institutional course offered at a nonaccredited school on a clock-hour basis in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of 25 hours per week net of instruction, which may include customary intervals not to exceed 10 minutes between hours of instruction, is required and no more than three hours of supervised study per week is allowed;

An institutional trade or technical course offered at an accredited school on a clock-hour basis which leads to a standard trade or technical degree and involves shop practice as an integral part thereof shall be considered a full-time course when a minimum of 22 hours per

week of attendance is required with no more than two and one-half hours of rest periods per week and no more than three hours of supervised study per week allowed;

An institutional course offered at an accredited school on a clock-hour basis which leads to a standard trade or technical degree in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of 18 hours per week of instruction, which may include customary intervals not to exceed 10 minutes between hours of instruction, is required and no more than two and one-half hours of supervised study is allowed;

An academic high school course requiring 16 units for a full course shall be considered a full-time course when a minimum of four units per year is required, with a unit defined to be not less than 120 60-minute hours or their equivalent of study in any subject in one academic year; and

An institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis shall be considered a full-time course when a minimum of 14 semester hours or the equivalent thereof, for which credit is granted toward a standard college degree, including those for which no credit is granted but which are required to be taken to correct an educational deficiency, is required, except that when the college or university certifies, upon the request of the department, that (1) full-time tuition is charged to all undergraduate students carrying a minimum of less than 14 semester hours or the equivalent thereof or (2) all undergraduate students carrying a minimum of less than 14 semester hours or the equivalent thereof are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by the college or university with the minimum number of semester hours shall be considered a full-time course. In the event the minimum number of semester hours is less than 12 semester hours or the equivalent thereof, less than 12 semester hours or the equivalent thereof shall be considered a full-time course.

Each eligible veteran may select an approved course of study at any approved educational institution selected by the veteran, which will accept and retain the veteran as a student or trainee in any field or branch of knowledge which the institution finds him or her qualified to undertake or pursue.

c. Any eligible veteran who desires tuition credit pursuant to this section, within eight years from the date of (a) separation from active duty or (b) March 3, 1976, whichever is later, shall submit an application to the Department of Veterans Affairs which shall be in a form and contain information as the department shall prescribe. The department shall approve the application unless it finds that the veteran is ineligible for or not entitled to tuition credit, that the veteran's course of study is not approved pursuant to this section, or that the veteran has already been approved. The department shall notify the veteran and the veteran's selected educational institution of the approval of the application.

d. Each eligible veteran shall be entitled to tuition credit pursuant to this section in accordance with the following schedule:

(1) For a period of one semester, or the equivalent thereof in part-time tuition credit, in the case of educational institutions regularly operated on the semester system, for each three months or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during such period of time, the veteran shall be entitled to tuition credit pursuant to this section for a period of eight semesters or the equivalent thereof in part-time tuition credit. The maximum credit hereunder shall be for a period of eight semesters;

(2) For a period of one-quarter, or the equivalent thereof in part-time tuition credit, in the case of educational institutions regularly operated on the quarter system, for each two months or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May

7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during that period of time, the veteran shall be entitled to tuition credit pursuant to this section for a period of 12 quarters. The maximum credit hereunder shall be for a period of 12 quarters; or

(3) For a period of one and one-half months of any tuition period, or the equivalent thereof in part-time tuition credit, in the case of educational institutions not operated on the quarter or semester system, for each month or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during that period of time, the veteran shall be entitled to tuition credit pursuant to this section for 36 months of tuition credit or the equivalent thereof in part-time tuition credit. The maximum credit hereunder shall be for a period of 36 months.

e. If an eligible veteran shall change the veteran's program of study from an educational institution regularly operated on the quarter or semester system, or otherwise, to an educational institution regularly operated on a different system, the remainder of the credit shall accordingly be redistributed by the department in such manner as to carry out the intent of this section.

f. Benefits hereunder shall be in the form of tuition credits limited by the lesser of full tuition or for:

(1) educational institutions regularly operated on the semester system, $200 per semester.

(2) educational institutions regularly operated on the quarter system, $100 per quarter.

(3) educational institutions not regularly operated on the semester or quarter system, $400 per full school year prorated on an equal basis as the Department of Veterans Affairs shall determine.

For veterans pursuing a program of part-time education, the tuition credit shall be in such amounts as the department shall determine. These veterans shall be eligible to receive awards during summer terms, provided that the total award during the period from September 1 to August 31 of any academic year does not exceed the amount of assistance a full-time student at the same institution would receive.

g. Reimbursement for tuition credit shall be made by the State Treasurer to the approved educational institution upon certification by the institution that the veteran is enrolled for the current period and upon certification by the Department of Veterans Affairs that the veteran is both eligible and entitled to tuition credit hereunder subject to the provisions of this section. Reimbursement for tuition credit shall be made out of funds accumulated from the State Lottery.

h. Any benefits granted to eligible veterans pursuant to this section shall not be considered income or an asset in determining financial need for any financial assistance for higher education provided pursuant to Title 18A of the New Jersey Statutes.

i. In the event that the amount appropriated in any fiscal year is insufficient to carry out in full the provisions of this section, the department shall apportion the amount among the eligible veterans applying for tuition credit in proportion to the amount each veteran would be allocated if the full amount were appropriated.

Tuition assistance, Vietnam veterans.

38A:22-5. a. As used in this section:

"Vietnam veteran" means a resident of this State who:

served in the Armed Forces of the United States in Southeast Asia in the Vietnam conflict and received a Vietnam Service Ribbon or an Armed Forces Expeditionary Medal;

was honorably discharged or generally discharged under honorable conditions; and

was domiciled in New Jersey on April 9, 1985, for a period of not less than two consecutive years, exclusive of any time spent on active duty.

b. A Vietnam veteran, upon being accepted to pursue a course of study for an initial undergraduate degree in a public institution of higher education of this State as enumerated in

N.J.S.18A:62-1, shall be entitled to tuition assistance, while enrolled as a student in good standing at that college, in an amount up to the full tuition cost as determined by the Department of Veterans Affairs pursuant to this section.

c. A Vietnam veteran, upon being accepted to pursue a course of study for an initial undergraduate degree at an independent college or university located in the State, shall be entitled to tuition assistance, while enrolled as a student in good standing at that college or university, in an amount as determined by the Department of Veterans Affairs pursuant to this section, but in an amount not more than the tuition charged at Rutgers, The State University.

d. A tuition award shall not be granted pursuant to this section unless the Vietnam veteran has applied for all other available State or federal student financial aid.

e. Eligibility for this program shall be limited to a period of five years from April 9, 1985. A Vietnam veteran shall be eligible for a tuition award for four academic years, unless the veteran is enrolled in an undergraduate program regularly requiring five academic years for completion, in which case the veteran shall be entitled to a tuition award for a fifth year.

Website link, public and independent institutions of higher education, Department of Veterans Affairs.

38A:22-6. The Department of Veterans Affairs shall provide a link on its website to the directory of public and independent institutions of higher education located on the website of the New Jersey Office of the Secretary of Higher Education. The link shall be placed on the page of the department’s website that lists the education benefits available to veterans.

New Jersey Homeless Veterans Grant Program Law.

38A:22-7. a. This section shall be known and may be cited as the "New Jersey Homeless Veterans Grant Program Law."

b. There is established in the Department of Veterans Affairs the "New Jersey Homeless Veterans Grant Program." The purpose of this program shall be to award grants to organizations that assist homeless veterans in this State from funds appropriated to the department from the "Homeless Veterans Grant Fund" established pursuant to section 4 of P.L.2013, c.239 (C.54A:9-25.33). The grants shall be allocated on a competitive basis, except grants allocated to public or private entities that provide legal services to homeless veterans and veterans at risk of homelessness shall be allocated pursuant to N.J.S.38A:22-8. The Commissioner of the Department of Veterans Affairs shall develop criteria for the granting of awards. An organization that wishes to apply for a grant under this program shall submit an application to the commissioner. The application shall, at the minimum, include a description of how the organization will assist homeless veterans. The commissioner may adopt, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as may be necessary to effectuate the grant program.

Homeless Veterans Legal Services Law.

38A:22-8. a. This section shall be known and may be cited as the "Homeless Veterans Legal Services Law."

b. Subject to the availability of funds appropriated for this purpose, including, but not limited to, funding appropriated through N.J.S.38A:22-7, the New Jersey Homeless Veterans Grant Program, the Commissioner of the Department of Veterans Affairs shall enter into agreements with public or private entities to fund a portion of the legal services specified in this section, that are provided by such entities to homeless veterans and veterans at risk of homelessness.

c. The commissioner shall ensure that, to the extent practicable, agreements established under this section are made with entities located in the northern, central, and southern regions of the State.

d. Legal services shall include legal services provided by public or private entities that address the needs of homeless veterans and veterans at risk of homelessness as follows:

(1) Legal services related to housing, including eviction defense, representation in landlord-tenant cases, and representation in foreclosure cases.

(2) Legal services related to family law, including assistance in court proceedings for child support, divorce, estate planning, and family reconciliation.

(3) Legal services related to income support, including assistance in obtaining public benefits.

(4) Legal services related to criminal defense, including defense in matters symptomatic of homelessness, such as outstanding warrants, fines, and driver's license revocation, to reduce recidivism and facilitate the overcoming of reentry obstacles in employment or housing.

(5) Such other legal services as the commissioner deems appropriate.

e. In developing and carrying out agreements under this section, the commissioner shall, to the extent practicable, consult with veterans service organizations and coordinate appropriate outreach relationships with such organizations.

f. The commissioner may require entities that enter into agreements under this section to submit periodic reports on legal services provided to homeless veterans and veterans at risk of homelessness.

Provision of volunteer mentors list, Veterans Diversion Program.

38A:22-9. a. The Commissioner of the Department of Veterans Affairs shall provide county prosecutors with a registry of volunteer mentors developed pursuant to subsection o. of N.J.S.38A:21-5 to facilitate the assignment of mentors to eligible service members who have been admitted by the prosecutor into the Veterans Diversion Program established pursuant to P.L.2017, c.42 (C.2C:43-23 et al.). A copy of the registry shall also be provided to the Administrative Director of the Courts to facilitate the assignment of mentors to eligible service members who have been sentenced to a term of probation supervision. The registry of mentors shall be periodically updated by the Department of Veterans Affairs.

b. The Commissioner of the Department of Veterans Affairs shall also prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

Commission on Women Veterans.

38A:21-25. a. There is created in the Department of Veterans Affairs the Commission on Women Veterans. The commission shall work in collaboration with other State agencies and appropriate groups to study and review the needs, priorities, programs, and policies relating to women veterans, including, but not limited to, housing, health care, job training, and outreach. The commission shall ensure that all service providers and citizens are aware of the needs and services available to women veterans and make recommendations for community education and training programs. The commission shall provide outreach in conjunction with the Department of Veterans Affairs and other organizations to educate and recruit prospective veterans.

b. The commission shall consist of 15 members who are New Jersey residents. The Governor shall appoint 12 members and, of the 12 appointed, nine shall be women. There shall be appointed one representative from each of the following branches of military service who may also be affiliated with an organization named below: the Army, the Air Force, the Coast Guard, the Marines, and the Navy. There shall also be appointed by the Governor: one

representative from the Veterans of Foreign Wars, one representative from the American Legion, one representative from the Disabled American Veterans, one representative from the American Veterans, one representative from the New Jersey Army National Guard, one representative from the New Jersey Air National Guard, and one representative from the Military Order of the Purple Heart. The Commissioner of the Department of Veterans Affairs, the Commissioner of Labor and Workforce Development, and the Director of the Division on Women in the Department of Children and Families, or their respective designees, shall serve as ex-officio members.

c. The public members shall serve for terms of three years and until the appointment and qualification of their successors, except that of the initial appointment of public members, four shall be appointed for a term of three years, four shall be appointed for a term of two years, and four shall be appointed for a term of one year.

If any public member discontinues affiliation with the respective veterans' organization, the member shall immediately resign membership with the commission.

Any vacancy in the membership of the commission shall be filled in the same manner as the original appointments are made.

d. The members of the commission shall serve without compensation, but may be reimbursed for necessary and reasonable expenses incurred in the performance of their duties within the limits of funds appropriated or otherwise made available to the commission for its purposes.

e. The commission shall organize as soon as may be practicable after the appointment of a majority of its members and shall select from among its members a chairperson and a vice chairperson, who shall be responsible for the coordination of all activities of the commission. The members shall select a secretary, who need not be a member of the commission.

f. The commission shall meet at the call of the chairperson and hold hearings at such places as it shall designate. A meeting of the commission may also be called upon the request of eight of the commission members, and eight members of the commission shall constitute a quorum at any meeting thereof. The commission shall meet not less than quarterly.

g. The commission may conduct public hearings at such places and at such times as it shall designate, at which it may solicit the testimony of interested persons, groups, and the general public.

h. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes. The Department of Veterans Affairs shall provide such organizational and personnel support as the commission may request.

i. The commission shall prepare and submit an initial report to the Governor, the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), and the Commissioner of the Department of Veterans Affairs.

j. The commission shall prepare and submit annual reports containing its findings, activities, and recommendations, including any recommendations for administrative and legislative action that it deems appropriate, to the Governor, the Legislature, and the Commissioner of the Department of Veterans Affairs.

The commission shall periodically advise the Commissioner of the Department of Veterans Affairs on its activities, findings, and recommendations.

Registry of organizations providing services to military veterans.

38A:21-26. a. The Department of Veterans Affairs shall create and maintain a registry of all organizations that provide services to military veterans. The registry shall be prominently

displayed, and organized topically, on a public webpage of the department to provide a comprehensive listing of organizations with services addressing the needs of veterans. The department shall actively seek out organizations to include on the registry, and organizations may also voluntarily submit requests to be included on the registry.

The department shall conduct a review of any organization prior to the organization's inclusion on the registry and the department may, in its discretion, refuse to include an organization on the registry or remove an organization from the registry if the department determines that the organization's services do not reflect the purpose of the registry. Inclusion on the registry shall not be construed to be an endorsement of an organization by the department or State.

b. As used in this section, "organizations that provide services to veterans" includes any organization, not for profit or otherwise, exclusively providing services to veterans or primarily providing services to veterans or any organization that provides services to a variety of recipients including veterans.

Veterans Haven North Council, Veterans Haven South Council.

38A:21-27. a. There is created within the Department of Veterans Affairs two advisory councils to be known as Veterans Haven North Council and Veterans Haven South Council. The Veterans Haven North Council shall represent the northern facility and the Veterans Haven South Council shall represent the southern facility. The two councils shall have joint meetings no less than once each calendar year.

Each council shall consist of eight members, at least five of whom shall be veterans, and shall include no less than two women. A Deputy Commissioner of the Department of Veterans Affairs, or a designee, shall serve as a nonvoting ex-officio member on each council. Each member shall be appointed by the commissioner. The term of each council member shall be three years, except that, of the first appointments, two shall be for a term of one year, two for a term of two years, and three for a term of three years. At no time shall a member be allowed to serve more than two terms in the aggregate or on both councils at the same time.

b. The members of each council shall nominate a chairperson by majority vote of the members, and four members shall constitute a majority. The chairperson of each council shall be its presiding officer and shall serve until a successor has been nominated by the council.

c. Any vacancy shall be filled for the unexpired term only. Members of the council shall be subject to removal by the commissioner at any time for good and sufficient cause.

d. The members of the council shall receive no compensation for their services, but shall be reimbursed for actual expenditures incurred in the performance of their duties within the limits of funds appropriated or otherwise made available for this purpose.

Veterans Haven council duties.

38A:21-28. Under general policies established by the commissioner, each Veterans Haven council shall:

a. formulate comprehensive policies for the coordination of all services for the benefit of veterans housed at the Veterans Haven facilities;

b. consult with and advise the Deputy Commissioner of the Department of Veterans Affairs and the Director of Veterans' Services with respect to the work of each Veterans Haven facility;

c. recommend standards and procedures for application and termination of eligibility for admission to each Veterans Haven facility; and

d. recommend standards of care, treatment, and discipline governing the relationship between each Veterans Haven facility and the persons admitted thereto.

Assistance to qualified veterans, in-patient, out-patient treatment programs, travel to certain medical counseling appointments.

38A:21-29. The Department of Veterans Affairs shall establish a program to provide assistance to qualified veterans in in-patient and out-patient treatment programs with travel to attend medical counseling appointments for service-connected conditions approved and authorized by the United States Department of Veterans Affairs within this State.

The department shall:

a. develop, in cooperation with the New Jersey Transit Corporation and the United States Department of Veterans Affairs, a program to provide reimbursement, subject to available State or federal funding, to qualified veterans who spend their own funds to travel on public transportation to and from medical counseling appointments for service-connected conditions within the State using any motor bus or rail passenger service conducted by the corporation when the veteran is not otherwise eligible for payment for travel or reimbursement by means of any existing State or federal program;

b. develop, in cooperation with the United States Department of Veterans Affairs, a program to provide reimbursement to qualified veterans who spend their own funds to travel using private transportation to and from medical counseling appointments for service-connected conditions within the State by reimbursing on a per mile basis their operation of a privately owned conveyance when that veteran is not otherwise eligible for payment for travel or reimbursement by means of any existing State or federal program, provided that the qualified veteran shall not use a for-hire private entity that charges for transportation unless such transportation is necessary for the qualified veteran due to a service-connected injury or disability for which the veteran has a certified rating provided by the United States Department of Veterans Affairs which prevents or hinders his or her ability to operate a privately owned conveyance;

c. develop, in coordination with the United States Department of Veterans Affairs, a system for monitoring veterans who have applied for reimbursement;

d. notify the general public and eligible veterans that the program established by this section is available to qualified veterans; and

e. adopt such rules and regulations as may be necessary to effectuate the purposes of this section.

Website, information on war battles, places of historic significance to military, war efforts in New Jersey.

38A:21-30. a. The Department of Veterans Affairs, in consultation with the Division of Travel and Tourism in the Department of State and the New Jersey Historical Commission, shall develop and maintain a website providing information detailing war battles fought and places of historic significance to the military or war efforts in New Jersey. The website shall: (1) specify the date and location, and describe the importance, of each battle that took place on lands within the State or in State waters and (2) identify, and describe the importance of, locations within the State or in State waters that are, or have been, significant to the military or war efforts, such as those locations used for military operations or training or those locations which house, berth, or preserve historic military equipment, vehicles, or vessels, including battleships, fighter planes, and tanks. The information on the website shall be available as a list and in an online tour format, and shall include, but need not be limited to, information pertaining to battles fought and places that are of historic significance to military actions or war efforts undertaken during the Revolutionary War, the War of 1812, the Mexican-American

War, the Civil War, the Spanish-American War, World War I, World War II, the Korean War, and the Vietnam War.

b. The department shall be entitled to call to its assistance and avail itself of the services of the employees of any State, county, or municipal department, authority, board, bureau, commission, agency, or entity, or of Rutgers, The State University or any other public institution of higher education in the State, as it may require and as may be available to it for the purpose of carrying out its duties under this act, N.J.S.38A:21-1 et al.

Findings, declarations.

38A:25-1. The Legislature finds and declares that:

a. Residents of New Jersey have answered the call to fight for our country many times as members of the United States military and as members of the New Jersey National Guard.

b. Throughout history, New Jersey residents have made the ultimate sacrifice for their country and have given their life for our freedom.

c. The family members left behind after the untimely deaths of these brave service members, known as Gold Star family members, are often left with emotional wounds who need the caring intervention of a mental health professional to grieve and learn to live with the new reality of their loved one's passing.

d. The United States Department of Veterans Affairs has taken the lead to provide mental health care to veterans and certain family members with the establishment of the Care Enough to Share program, which links mental health professionals with an opportunity to volunteer their time and talents to help the nation's veterans and certain family members by providing mental health counseling.

e. It is honorable and necessary that the State of New Jersey assist these Gold Star family members in their grief by establishing programs that can link mental health care professionals with the family members to provide the needed mental health care free of charge to the families.

Definitions.

38A:25-2. As used in this section and N.J.S.38A:25-3:

"Gold Star family member" means an individual who is a New Jersey resident and is the surviving spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole blood or the half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States.

"Mental health care professional" means a person who provides mental health services and is licensed or otherwise authorized, pursuant to Title 45 of the Revised Statutes, to practice a health care profession that is regulated by one of the following: the State Board of Medical Examiners; the State Board of Psychological Examiners; the State Board of Social Work Examiners; the State Board of Marriage and Family Therapy Examiners; the Alcohol and Drug Counselor Committee; the Professional Counselor Examiners Committee; or the Certified Psychoanalysts Advisory Committee.

Gold Star Family Counseling Program.

38A:25-3. There is established in the Department of Veterans Affairs the "Gold Star Family Counseling Program." The purpose of this program is to link mental health care professionals with Gold Star family members to facilitate the provision of mental health counseling free of charge to Gold Star family members. The Commissioner of the Department

of Veterans Affairs shall create and implement the "Gold Star Family Counseling Program" as follows:

a. The department shall recruit mental health care professionals to donate professional counseling hours to provide mental health counseling to Gold Star family members. The department may coordinate the recruitment efforts with the federal Department of Veterans Affairs.

b. The department shall coordinate with the federal Department of Veterans Affairs to maintain a list of mental health care professionals who are available to provide professional mental health counseling hours to Gold Star family members.

c. The department shall maintain and distribute the list of available mental health care professionals on a Statewide basis and shall distribute the list of available mental health care professionals to each county veteran service office for the distribution thereof.

d. The department shall create a system for monitoring and verifying the donated hours to facilitate the tax credit provided to mental health care professionals pursuant to section 6 of P.L.2017, c.174 (C.54A:4-16).

e. The department shall provide documentation annually to the mental health care professional for submission to the Department of the Treasury to verify the amount of tax credit the mental health care professional is eligible to request annually pursuant to section 6 of P.L.2017, c.174 (C.54A:4-16). The amount of annual tax credit shall be determined by the department as the sum of the hours of donated counseling provided to the Gold Star family member multiplied by the documented compensation rate applied to these hours. To determine the compensation rate, the department shall use the calendar year TRICARE rate for the service provided in the geographic location in which the service is provided. The department shall limit the cumulative hours which are authorized for the annual tax credit to a minimum of 20 hours and a maximum of 40 hours per year, per professional.

f. All mental health care professionals volunteering for the "Gold Star Family Counseling Program" established pursuant to this section shall be immune from civil liability as provided in P.L.1991, c.270 (C.2A:62A-16 et seq.).

g. The department may apply for and accept on behalf of the State any grants from the federal government or any agency thereof, or from any foundation, corporation, association, or individual, except for education grants or federal funds for education grants, and may comply with the terms, conditions, and limitations thereof, to develop and implement the "Gold Star Family Counseling Program" established pursuant to this section. Any money so received may be expended by the department, subject to any limitations imposed in such grants, upon warrant of the Director of the Division of Budget and Accounting of the Department of the Treasury.

Gold Star Family license plate, driver's license, identification card holder list.

38A:25-4. a. The department shall maintain a list of each person possessing a Gold Star Family license plate, issued pursuant to section 2 of P.L.2011, c.17 (C.39:3-27.142), and each person holding a driver's license or identification card with a Gold Star Family designation, issued pursuant to section 1 of P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3), respectively. The department shall distribute the list to the appropriate representative of a State veteran service entity in each county.

b. It shall be unlawful for any person to:

(1) have in the person's possession any canceled, fictitious, fraudulently altered, or fraudulently obtained driver's license or identification card with a Gold Star Family designation;

(2) lend a driver's license or identification card with a Gold Star Family designation to any other person or knowingly permit the use thereof by another;

(3) display or represent a driver's license or identification card with a Gold Star Family designation not issued to the person as being the person's card;

(4) permit any unlawful use of a driver's license or identification card with a Gold Star Family designation issued to the person;

(5) photograph, photostat, duplicate, or in any way reproduce a driver's license or identification card with a Gold Star Family designation, or facsimile thereof, in such a manner that it could be mistaken for a valid driver's license or identification card with a Gold Star Family designation or to display or have in the person's possession any such photograph, photostat, duplicate, reproduction, or facsimile; or

(6) alter a driver's license or identification card with a Gold Star Family designation in any manner.

c. A person who violates any provision of subsection b. of this section shall be liable to a civil penalty of $1,000. The civil penalty shall be collected pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.), in a summary proceeding before the municipal court having jurisdiction.

Notification of service member passing, definitions.

38A:25-5. a. (1) Upon receipt of the notice from the United States Department of Defense of the death of a service member who resided in this State and whose surviving beneficiary resides in this State, the Department of Veterans Affairs shall notify, no later than ten working days, the appropriate county veterans' affairs office, or county designee, and the appropriate State veterans' service office. The State office shall provide the surviving beneficiary of a deceased service member with a comprehensive packet containing information on all federal and State benefits for which the surviving beneficiary may be eligible. The department shall develop the packet and provide all State veterans service offices with a supply of packets for distribution.

This section shall also apply when a deceased service member is not a resident of this State, but whose surviving beneficiary is a resident of this State, if that information is known.

(2) Every county veterans' affairs office shall have a designated Gold Star family member liaison. The liaison may be a volunteer or a Gold Star family member. The liaison shall, in conjunction with the State veterans' service offices, assist Gold Star families to access the services they are entitled to by providing information on State benefits, Gold Star family organizations, and such other resources deemed necessary and beneficial to a Gold Star family member.

b. For the purpose of this section:

"Child" means the individual who is a son or daughter by birth or adoption.

"Deceased service member" means any member of the Armed Forces of the United States, or a Reserve Component thereof, or a member of the National Guard who dies as a result of enemy action, accident, or disease while on federal active duty, including active duty for training.

"Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States.

"Parent" means the individual who is a father or mother by birth or adoption.

"Spouse" means the individual to whom the deceased service member was legally married at the time of the member's death.

"Surviving beneficiary" means the spouse, child, or parent of a deceased service member who resides in this State.

New Jersey Commission on Veterans Benefits, membership.

38A:21-31. a. There is hereby established in the Department of Veterans Affairs the New Jersey Commission on Veterans Benefits, consisting of 13 members as follows:

(1) the Commissioner of the Department of Veterans Affairs, or their designee, who shall serve as chairperson;

(2) the Commissioner of the Department of Human Services, or a designee;

(3) the Commissioner of the Department of Health, or a designee;

(4) the Commissioner of the Department of Community Affairs, or a designee;

(5) the Commissioner of the Department of Education, or a designee;

(6) the Commissioner of the Department of Labor and Workforce Development, or a designee;

(7) the Secretary of State, or a designee;

(8) the Attorney General, or a designee; and

(9) five public members who are residents of this State and who are veterans, as defined under N.J.S.38A:21-3, one to be appointed by the Governor and four to be appointed one each by the President of the Senate, the Senate Minority Leader, the Speaker of the General Assembly, and the Assembly Minority Leader. At least two of the five public members shall be women veterans.

The public members of the commission shall serve for terms of three years and until the appointment and qualification of their successors, except that of the initial appointment of public members, three shall be appointed for a term of three years, and two shall be appointed for a term of two years. Any vacancy in the membership of the commission shall be filled in the same manner as the original appointments are made.

b. The commission shall organize as soon as practicable after the appointment of a majority of its members and shall select from among its members a chairperson. The members shall select a secretary, who need not be a member of the commission. Thereafter, the commission shall meet quarterly and at the call of the chairperson. A meeting of the commission may also be called upon at the request of seven of the commission members, and seven members of the commission shall constitute a quorum at any meeting thereof. The commission may conduct public hearings at such places and at such times as it shall designate, at which it may solicit the testimony of interested persons, groups, and the general public.

c. The commission shall be entitled to call to its assistance and avail itself of the services of employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes. The Department of Veterans Affairs shall provide such organizational and personnel support as the commission may request. All departments and agencies of the State shall furnish such advice and information, documentation, and assistance to the commission as is deemed necessary or desirable by the commission to facilitate its purposes.

d. The members of the commission shall serve without compensation, but the public members may be reimbursed for necessary and reasonable expenses incurred in the performance of their duties within the limits of funds appropriated or otherwise made available to it for its purposes.

Statewide veterans' benefits strategic plan.

38A:21-32. a. It shall be the duty of the New Jersey Commission on Veterans Benefits to develop, maintain, and annually update a five-year Statewide veterans' benefits strategic plan that includes goals and measurable outcomes to ensure that all State departments and agencies are effectively delivering comprehensive services and support for veterans and their families in this State.

b. In developing and updating the strategic plan, the commission shall conduct an analysis to identify the various programs and benefits provided by the State to the veteran population and to evaluate those programs to assess their status and effectiveness. Areas of analysis shall include, but need not be limited to, each existing program's status, successes, and challenges in addressing the veteran population's: (1) access to benefits; (2) educational, job skills, employment, and business opportunities; (3) physical and behavioral health and long-term healthcare options; (4) criminal justice issues; (5) housing opportunities and homelessness; and (6) special needs as determined by the commission. The strategic plan shall be based upon comprehensive data gained through open and transparent engagement with State departments and agencies and veterans' stakeholders.

c. The commission shall develop recommendations to be submitted to the Governor and the Legislature to address any deficiencies in the provision of benefits and services to veterans in this State. The recommendations shall specifically address whether the existing State programs, services, and resources are adequate to meet the veteran population's existing needs; are being used to fulfill objectives in a manner that complements and leverages State, federal, and private resources; and how they may more effectively deliver veteran services to all current and future veterans in the State of New Jersey.

d. The commission shall prepare and submit an initial five-year strategic plan to the Governor and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1). Thereafter, the commission shall prepare and submit annual reports to the Governor and the Legislature containing its findings, activities, and recommendations, including any recommendations for administrative and legislative action that it deems appropriate.

Discharge status change, separation due solely to sexual orientation, gender identity, expression.

38A:21-33. a. All former service members of the Armed Forces who were separated from the service with a general or other than honorable discharge due solely to their sexual orientation, or gender identity or expression, may request that the Department of Veterans Affairs assist them to have the designation on the discharge changed and recorded as honorable.

b. The Department of Veterans Affairs shall:

(1) create, publish, and distribute material to all public agencies of the availability of the assistance; and

(2) create a consistent and uniform process to assist a former service member with the appropriate and necessary forms and conditions prescribed by federal law so that service member may petition the United States Department of Veterans Affairs, or its successor agency, to change the designation on the discharge to honorable.

At no time shall a fee be charged to a former service member for seeking assistance to have the designation on the discharge changed to honorable.

c. A former service member who has the designation of discharge changed to honorable shall be afforded the same rights, privileges, and benefits authorized by State law to service members who were honorably discharged.

d. Information related to the change in the designation of a discharge, including, but not limited to, a request for assistance, shall be confidential and not accessible to the public as a government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.).

e. The commissioner shall, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt any rules and regulations as the commissioner deems necessary to carry out the provisions of this section.

Awards.

38A:24-1. The commissioner may procure and issue such service medals, ribbons, clasps, or similar devices as are authorized by the Legislature to be awarded to residents of the State of New Jersey who served on active duty in time of war or emergency or who served as members of the American Merchant Marine during World War II and are declared by the United States Department of Defense to be eligible for federal veterans' benefits.

New Jersey POW-MIA medal.

38A:24-2. a. The Governor may present in the name of the State of New Jersey a POW-MIA medal of appropriate design, and ribbon to be worn in lieu thereof, to:

(1) any person who, on the date of induction into the organized militia or federal military service, was a resident of this State and who, while serving in the organized militia or in federal military service on active duty in a combat theater of operation during time of war or emergency, shall have been officially listed as a prisoner of war or missing in action by the United States Department of Defense; or

(2) any person who, on the date of induction into the organized militia or federal military service, was not a resident of this State but currently resides in this State or was a resident at time of death and who, while serving in the organized militia or in federal military service on active duty in a combat theater of operation during time of war or emergency, shall have been officially listed as a prisoner of war or missing in action by the United States Department of Defense; and

(3) was taken prisoner and held captive or declared missing in action: (a) while engaged in an action against an enemy of the United States; (b) while engaged in military operations involving conflict with an opposing foreign force; or (c) while serving with friendly forces engaged in an armed conflict against an opposing force in which the United States is not a belligerent party.

b. The period of creditable military service must include the period of captivity from date of capture through date of release. While no minimum time period of captivity exists as eligibility criteria for the medal, the Department of Veterans Affairs should determine each case on its merits.

c. The medal shall be issued only to those taken prisoner by foreign armed forces that are hostile to the United States under circumstances which the commissioner, or a designee, finds to have been comparable to those under which persons have generally been held captive by enemy armed forces during periods of armed conflict.

d. Any person convicted by a United States military tribunal of misconduct or a criminal charge or whose discharge is less than honorable based on actions while a POW-MIA is ineligible for the medal. Any POW-MIA whose conduct was not in accord with the Code of Conduct, and whose actions are documented by United States military records, is ineligible for the medal. Resolution of questionable cases shall be the responsibility of the commissioner or a designee.

e. No more than one medal shall be awarded. For subsequent acts justifying award of the medal, service stars shall be awarded and worn on the suspension and service ribbon of the medal. A period of captivity terminates on return to United States military control. Escapees who do not return to United States military control and are recaptured by an enemy do not begin a new period of captivity for subsequent award of the medal.

f. The medal may be awarded for a deceased person or a person absent as a prisoner of war or missing in action and, when so directed, may be presented to such representatives, as

the commissioner considers appropriate, who submit all of the required forms and documentation on behalf of that person.

Return of remains, in and of itself, does not constitute evidence of POW-MIA status.

g. The Department of Veterans Affairs shall receive requests for, and issue, the medal to eligible individuals or their next-of-kin, who shall use the “Department of Veterans Affairs application for award/program" application, attaching a copy of DD Form 214 or WD Form 53 and death certificate copy, if applicable.

h. There is created in the Department of the Treasury a special, non-lapsing fund to be known as the "POW-MIA Medal Fund." There shall be deposited into the fund the amounts made available for the purposes of the fund and monetary donations that may be received from any source for the purposes of the fund and any interest earned thereon. Monies deposited in the fund shall be dedicated for the design, manufacture, and distribution of the medal.

Reference to Adjutant General deemed reference to Commissioner, the Department of Veterans Affairs, the Department of Veterans Affairs, other areas; transference.

38A:21-6. a. References in the following to the Adjutant General and the Department of Military and Veterans’ Affairs shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs and the Department of Veterans Affairs:

R.S.38:20-3 concerning educational grants for war orphans;

section 2 of P.L.1999, c.276 (C.34:1B-176) concerning information for veterans on the assistance programs of the New Jersey Economic Development Authority;

section 44 of P.L.2003, c.79 (C.27:23-47) concerning the maintenance of the Vietnam Veterans' Memorial;

section 2 of P.L.1999, c.92 (C.54A:9-25.16) concerning the Korean Veterans' Memorial Fund;

section 3 of P.L.2003, c.105 (C.26:2H-94) concerning certain health care facilities;

section 2 of P.L.2005, c.59 (C.38A:3-2.5) concerning the World War II Memorial Commission;

P.L.1988, J.R. No. 20 concerning placards bearing the designation “Brigadier General William C. Doyle Veterans’ Memorial Cemetery;”

section 2 of P.L.1989, c.334 (C.18A:73-20.3) concerning collections by the New Jersey State Museum;

section 1 of P.L.2001, c.302 (C.18A:7C-4.1) concerning the "Operation Recognition" program;

section 16 of P.L.1974, c.30 (C.19:31-6.4) concerning voter registration forms; and

section 1 of P.L.1999, c.120 (C.27:1A-5.16) concerning the Blue Star Memorial Highway Council.

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

The Veterans' Services Council, established pursuant to P.L.1948, c.448 (C.13:1B-20 et seq.), together with all its functions, powers, and duties, is transferred to the Department of Veterans Affairs.

c. References in section 4 of P.L.2001, c.246 (C.App.A:9-67) concerning the Domestic Security Preparedness Task Force and section 24 of P.L.2005, c.222 (C.26:13-24) concerning the State Public Health Emergency Claim Reimbursement Board to the Adjutant General of the Department of Military and Veterans’ Affairs shall be deemed to mean and refer to the Adjutant General of the Department of Military Affairs.

d. Whenever any statute shall refer to veterans' matters in the Department of Veterans Services and Defense, the same shall mean and refer to the Department of Veterans Affairs.

e. Whenever, in any law, rule, regulation, order, contract, document, judicial or administrative proceeding or otherwise, reference is made to the Department of Military and Veterans' Affairs, the same shall mean and refer to the Department of Veterans Affairs.

Transfers made, State Agency Transfer Act, Department of Veterans Affairs.

38A:21-7. The transfers made by this act, N.J.S.38A:21-1 et al., shall be made in accordance with the "State Agency Transfer Act," P.L.1971, c. 375 (C.52:14D-1 et seq.).

The programs developed within the Department of Military and Veterans' Affairs prior to the effective date of this act shall be continued and transferred to the Department of Veterans Affairs in accordance with, or as provided by, this act.

The councils and commissions, together with all their functions, powers, and duties, are continued and transferred from the Department of Military and Veterans' Affairs to the Department of Veterans Affairs in accordance with, and as provided by, this act. This act shall not affect the terms of office of the members of the councils and commissions serving on the effective date.

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

Governor's staff.

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

(a) Executive: The Adjutant General of the State Department of Military Affairs.

(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.

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

Principal department.

38A:3-1. The Department of Military Affairs shall be a principal department in the executive branch of the State Government.

72. Section 1 of P.L.1987, c.444 (C.38A:3-1.1) is amended to read as follows:

C.38A:3-1.1 Findings, declarations.

1. The Legislature finds and declares:

a. Since the establishment of this State more than 200 years ago, New Jersey's veterans have maintained their proud allegiance to the United States and have fought and died to preserve and protect our freedom and way of life;

b. Presently there are approximately 900,000 veterans with service in time of war or conflict residing in New Jersey, including more than 10,000 World War I veterans, 406,000 World War II veterans, 202,000 veterans of the Korean conflict, 203,000 veterans of the Vietnam conflict, 30,000 women veterans, and veterans of the Lebanon and Grenada peacekeeping missions;

c. The Departments of Higher Education, Human Services, Labor, and the Treasury provide special services and benefits to these veterans and their dependents;

d. The Department of Human Services, which is the principal government agency that serves this State's veterans, has done an especially commendable job attending to this special group of residents; and

e (Deleted by amendment, P.L.2025, c.139)

f. It is in the public interest to incorporate various services and programs which pertain specifically to veterans and their dependents into an executive department which can serve their needs more efficiently than is possible at present.

73. Section 33 of P.L.1988, c.138 (C.38A:3-1a) is amended to read as follows:

C.38A:3-1a Refer to Department of Military Affairs.

33. Whenever any statute shall refer to military matters in the Department of Defense or the Department of Veterans' Affairs and Defense, the same shall mean and refer to the Department of Military Affairs; except as provided in section 69 of P.L.2025, c.139 (N.J.S.38A:21-7).

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

C.38A:3-1.2 Department defined.

2. As used in chapter 3 of Title 38A of the New Jersey Statutes, "department" means the Department of Military Affairs established pursuant to N.J.S.38A:3-1 et seq., as amended.

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

Personnel of department.

38A:3-2. The Department of Military Affairs shall consist of:

(a) The Adjutant General;

(b) The deputy adjutant general;

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

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

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

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

(g) State headquarters for selective service; and

(h) The organized militia.

(i) (Deleted by amendment, P.L.2025, c.139)

(j) (Deleted by amendment, P.L.2025, c.139)

(k) (Deleted by amendment, P.L.2025, c.139)

(l) (Deleted by amendment, P.L.2025, c.139)

76. Section 2 of P.L.2017, c.359 (C.38A:3-2k) is amended to read as follows:

C.38A:3-2k Military and Defense Economic Ombudsman.

2. There is hereby created in the Department of Military Affairs a Military and Defense Economic Ombudsman. The ombudsman shall be appointed by the Governor. The person appointed shall have expertise in the areas of defense, business, and governmental affairs and shall have been a resident of this State for at least 36 consecutive months immediately preceding appointment. Once appointed, the ombudsman shall continue to maintain residency

in New Jersey and shall serve at the pleasure of the Governor and shall report to the Adjutant General. The office of the Military and Defense Economic Ombudsman may request and shall avail itself and utilize the services of any officer or employee of the Department of Military Affairs and of any other State department or agency, who shall render such assistance as the head of the principal department or agency may require without additional compensation.

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

Adjutant General.

38A:3-3. The head of the Department of Military Affairs 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:

(a) Federally recognized general officers in the National Guard who have served therein for the preceding 10 years; or

(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 officers having the qualifications to become federally recognized as brigadier general of the line, New Jersey Army National Guard, or brigadier general, New Jersey Air National Guard.

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

Powers, duties.

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

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

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

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

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

(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 Military Affairs.

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

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

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

(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.

(j) (Deleted by amendment, P.L.2025, c.139)

(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 applicable statutes, except as herein otherwise specifically provided.

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

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

(n) Organize the work of the department in divisions not inconsistent with the provisions of this act, N.J.S.38A:21-1 et al., and in bureaus and other organizational units as the Adjutant General may determine to be necessary for efficient and effective operation.

(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 as may be authorized by law.

(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.

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

(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.

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

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

(u) (Deleted by amendment, P.L.2025, c.139)

(v) (Deleted by amendment, P.L.2025, c.139)

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

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

(y) (Deleted by amendment, P.L.2025, c.139)

(z) (Deleted by amendment, P.L.2025, c.139)

(aa) (Deleted by amendment, P.L.2025, c.139)

(bb) (Deleted by amendment, P.L.2025, c.139)

(cc) (Deleted by amendment, P.L.2025, c.139)

(dd) (Deleted by amendment, P.L.2025, c.139)

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

79. Section 41 of P.L.1994, c.182 (C.38A:3-6.19) is amended to read as follows:

C.38A:3-6.19 Adjutant General, duties.

41. The Adjutant General of the Department of Military Affairs shall:

a. cause copies of the voter registration forms and instructions furnished under subsection f. of section 16 of P.L.1974, c.30 (C.19:31-6.4) to be displayed at each recruitment office of the New Jersey National Guard and to be made available to each person who, when appearing in person at such office to apply for enlistment in the Guard, may wish, on a voluntary basis, to register to vote;

b. provide for the continuous supply of the forms and instructions specified in subsection a. of this section to each such office; and

c. provide the forms and instructions specified in subsection a. of this section in both the English and Spanish languages to each recruitment office of the New Jersey National Guard which is located in any county in which bilingual sample ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965, c.29 (C.19:23-22.4).

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

Classes of personnel.

38A:3-8. The personnel of the Department of Military Affairs shall consist of the following classes of persons:

(a) Officers and enlisted members who are ordered to active 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 this title.

(b) Classified civil service employees.

(c) Unclassified civil service employees, who may be relieved, suspended, or discharged for good cause. Such personnel shall be administered as far as practicable under similar regulations as those applicable to classified civil service, but shall be subject to military discipline and control as the Commissioner deems appropriate and shall include all personnel employed for the maintenance of armories.

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

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

Fees for services.

38A:3-10. The Commissioner of the Department of Veterans Affairs may demand and receive, for the services herein enumerated, except for those in proof of pension and exemption from jury duty, or in lieu of lost discharges, the following fees:

(a) For every search made in his office for the military record of any member or former member of the armed forces, including any member of the American Merchant Marine during World War II who is declared by the United States Department of Defense to be eligible for federal veterans' benefits, the sum of $1.00.

(b) For the furnishing of every certified copy of such record, the sum of $2.00.

The Commissioner shall keep a true record and account of fees received under the provisions of this section and shall pay the same into the State Treasury in the manner prescribed by law.

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

Certification of records.

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

83. Section 2 of P.L.1992, c.86 (C.38A:3-16) is amended to read as follows:

C.38A:3-16 Transfer of Council on Armed Forces and Veterans' Affairs to Department of Military Affairs; membership.

2. The Council on Armed Forces and Veterans' Affairs established in the Department of Commerce and Economic Development pursuant to P.L.1983, c.61 (C.52:27H-45 et seq.) is hereby transferred to and established in the Department of Military Affairs. The council shall consist of 22 members: two to be appointed by the President of the Senate from the members thereof, no more than one of whom shall be from the same political party; two to be appointed by the Speaker of the General Assembly from the members thereof, no more than one of whom shall be from the same political party; the Adjutant General of the Department of Military Affairs, the Commissioner of the Department of Veterans Affairs, the Commissioner of the New Jersey Commerce Commission, the Commissioner of Education, the Commissioner of Environmental Protection, the Commissioner of Transportation, the State Treasurer, the Commissioner of Community Affairs, the Commissioner of Labor and Workforce Development, and the Chair of the New Jersey Commission on Higher Education, or their designees; and eight public members to be appointed by the Governor, with the advice and consent of the Senate. Seven of the public members shall be representatives of the community and business support groups for New Jersey's military installations and the United States Coast Guard training center. Each public member shall serve for a term of three years from the date of the member's appointment and until the member's successor is appointed and qualified. Vacancies resulting from causes other than by expiration of term shall be filled for the unexpired term only and shall be filled in the same manner as the original appointments were made.

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

Military courts.

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

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

Construction costs.

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

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

86. Section 2 of P.L.1968, c.278 (C.38A:13-9) is amended to read as follows:

C.38A:13-9 Death benefit.

2. The death benefit provided for in section 1 of P.L.1968, c.278 (C.38A:13-8) shall not be payable where there is a lump sum death benefit payable as a result of the deceased militiaman's membership in a public employees' pension system or when the militiaman was detailed to the Department of Military Affairs in a permanent duty status and entitled to benefits out of federal funds.

87. Section 2 of P.L.2013, c.238 (C.38:17-2.1) is amended to read as follows:

C.38:17-2.1 Identification of indigent deceased person; determination of veteran status; definitions.

2. The county medical examiner, or a designee, shall be responsible for the positive identification of an unidentified indigent deceased person. The supervisor of veterans' interment or county medical examiner, as appropriate, shall contact the Department of Veterans Affairs upon receipt of an unclaimed indigent deceased person to ascertain the veteran status of the person. The supervisor of veterans' interment or county medical examiner, as appropriate, shall be notified upon determination of the veteran status of the person. If the person was a veteran discharged under conditions other than dishonorable, the supervisor of veterans' interment or county medical examiner, as appropriate, shall cause burial or cremation to occur within 72 hours of notification of veteran status.

For the purposes of this section:

"Indigent" shall mean a person who has an income that is below 200 percent of the federal poverty level; and

"Poverty level" shall mean the official poverty level based on family size established and adjusted under Section 673(2) of Subtitle B. of the federal "Community Services Block Grant Act," Pub.L.97-35 (42 U.S.C. s.9902(2)).

88. R.S.38:18-3 is amended to read as follows:

Proof of service and disability; certification by adjutant general; payment.

38:18-3. Evidence of the service and disability mentioned in R.S.38:18-1 shall be furnished to the Department of Veterans Affairs, which shall examine the same and upon being satisfied that the service was performed and the soldier has been rendered totally blind as a result thereof, shall so certify to the Director of the Division of Budget and Accounting who shall, upon receipt thereof, draw a warrant on the State Treasurer in favor of the applicant in a bulk

sum for any accrued payments and in the sum of $1,800 annually, which the State Treasurer shall pay out of the money appropriated therefor by the Legislature.

89. R.S.38:20-3 is amended to read as follows:

Application for benefits; limited allotments.

38:20-3. Application for such benefits shall be made to the Department of Veterans Affairs, which shall make rules and regulations to effectuate the provisions thereof. It shall ascertain and approve the educational aptitude of the applicant for the course of study desired to be pursued in accordance with tests or standards prescribed or approved by the State Department of Education and the financial need of the applicant and may satisfy itself of the attendance of such applicants and the accuracy of the charges made by the institution which the applicant attends. No more than four annual allotments of $500.00 each shall be allowed any such applicant.

90. Section 1 of P.L.1974, c.55 (C.52:14-15.107) is amended to read as follows:

C.52:14-15.107 Department officers; annual salaries.

1. Notwithstanding the provisions of the annual appropriations act and section 7 of P.L.1974, c.55 (C.52:14-15.110), the annual salary for each of the following officers shall be $210,000 in calendar year 2024 and thereafter:

Title
Agriculture Department
Secretary of Agriculture
Children and Families Department
Commissioner of Children and Families
Community Affairs Department
Commissioner of Community Affairs
Corrections Department
Commissioner of Corrections
Education Department
Commissioner of Education
Environmental Protection Department
Commissioner of Environmental Protection
Health Department
Commissioner of Health
Human Services Department
Commissioner of Human Services
Banking and Insurance Department
Commissioner of Banking and Insurance
Labor and Workforce Development Department
Commissioner of Labor and Workforce Development
Chairperson of the Civil Service Commission
Law and Public Safety Department
Attorney General
Colonel and Superintendent, State Police
Director of the Office of Homeland Security and Preparedness

Military Affairs Department
Adjutant General
State Department
Secretary of State
Secretary of Higher Education
Transportation Department
Commissioner of Transportation
Chief Administrator, New Jersey Motor Vehicle Commission
Treasury Department
State Treasurer
State Comptroller
Chief Technology Officer
Veterans Affairs Department
Commissioner of Veterans Affairs
Members, Board of Public Utilities

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

Armories.

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 State of New Jersey, such real property as shall be necessary for the purpose of armories or other military facilities.

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

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

Supervision of construction.

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

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

Nonmilitary use.

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

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

Sale of surplus property.

38A:12-6. When any buildings and real property have been declared by the Adjutant General to be surplus or unsuitable for military purposes and their sale has been authorized by the governor, the Adjutant General, on behalf of the State, is authorized to convey such buildings and real property to the county or municipality in which the same are situate, or to

other purchasers, at such price and upon such terms and conditions as shall be approved by the State House Commission.

Furthermore, if it will not interfere with or impair military activities, the Adjutant General, on behalf of the State, may convey an easement to the county or municipality in which the land is situated or to a public utility company 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.

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

Use of proceeds.

38A:12-7. The proceeds of any sale made pursuant to N.J.S.38A:12-6 shall be deposited as received with the State Treasurer and maintained by him in a separate account. Moneys credited to such an account shall be appropriated and used for the purchase of real property or for the construction, alteration, or renovation of buildings for the use of the militia.

96. Section 4 of P.L.2000, c.127 (C.18a:66-2.2) is amended to read as follows:

C.18a:66-2.2 Veteran status determined for retirement allowance.

4. The Commissioner of the Department of Veterans Affairs shall be responsible for determining whether any person seeking to be considered a "veteran" under N.J.S.18A:66-2, for the purpose of eligibility for a veteran's retirement allowance, meets the criteria set forth therein and adjudicating an appeal from any person disputing this determination. The determination of the commissioner shall be binding upon the Division of Pensions and Benefits.

97. Section 5 of P.L.2000, c.127 (C.43:15A-6.1) is amended to read as follows:

C.43:15A-6.1 Veteran status determined for retirement allowance.

5. The Commissioner of the Department of Veterans Affairs shall be responsible for determining whether any person seeking to be considered a "veteran" under section 6 of P.L.1954, c.84 (C.43:15A-6), for the purpose of eligibility for a veteran's retirement allowance, meets the criteria set forth therein and adjudicating an appeal from any person disputing this determination. The determination of the commissioner shall be binding upon the Division of Pensions and Benefits.

98. Section 6 of P.L.2000, c.127 (C.43:16A-11.7a) is amended to read as follows:

C.43:16A-11.7a Veteran status determined for military service credit.

6. The Commissioner of the Department of Veterans Affairs shall be responsible for determining whether any person seeking to be considered a "veteran" under section 1 of P.L.1983, c.391 (C.43:16A-11.7), for the purpose of purchasing military service credit, meets the criteria set forth therein and adjudicating an appeal from any person disputing this determination. The determination of the commissioner shall be binding upon the board of trustees.

Repealer.

99. Sections 11, 13 through 16, and 29 through 37 of P.L.1987, c.444 (C.38A:3-4.1, 38A:3-12 through 38A:3-15, 38A:3-2a through 38A:3-2i);

section 2 of P.L.1973, c.284 (C.38A:3-2.2);

section 2 of P.L.1989, c.135 (C.38A:3-2b1);

sections 1 and 2 of P.L.1993, c.281 (C.38A:3-2b2 and 38A:3-2b3);
section 14 of P.L.1991, c.273 (C.38A:3-2d1);
sections 1 of P.L.2021, c.215 (C.38A:3-2b2.1);
sections 1 of P.L.2021, c.216 (C.38A:3-2b2.2);
sections 1 of P.L.2021, c.217 (C.38A:3-2b2.3);
section 1 of P.L.2000, c.127 (C.38A:3-6a);
sections 1 and 3 of P.L.2013, c.239 (C.38A:3-6.2a and 38A:3-6.2b);
sections 1 and 2 of P.L.2019, c.207 (38A:3-6.2c and 38A:3-6.2d)
sections 1 through 16 of P.L.1989, c.162 (C.38A:3-6.3 through 38A:3-6.18);
sections 3 through 17 of P.L.1999, c.46 (C.38A:3-23 through 38A:3-37); and
sections 5 and 6 of P.L.1996, c.150 (C.38A:3-6.4a and 38A:3-6.4b), are repealed.

100. This act shall take effect 120 days following enactment, except that such anticipatory administrative action may be taken in advance as shall be deemed necessary for the implementation of this act.

Approved September 11, 2025.

SENATE, No. 4376

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MARCH 24, 2025

Sponsored by:
Senator JOSEPH F. VITALE
District 19 (Middlesex)
Senator JOSEPH P. CRYAN
District 20 (Union)

Co-Sponsored by:
Senators Johnson, Mukherji, Gopal, Stack, Greenstein, Zwicker, Diegnan, Lagana, Ruiz, McKnight and Burgess

SYNOPSIS

Establishes Department of Veterans Affairs.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 5/12/2025)

AN ACT establishing a new Department of Veterans Affairs in the Executive Branch of State government, creating a new Title 38B of the New Jersey Statutes, amending various parts of the statutory law, and repealing various statutes.

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

1. (New section) This act, P.L. , c. (C.)(pending before the Legislature as this bill), shall be known and may be cited as the "New Jersey Department of Veterans Affairs Act."

2. (New section) There is established in the Executive Branch of the State government a principal department which shall be known as the Department of Veterans Affairs.

3. (New section) As used in this act, P.L. , c. (C.)(pending before the Legislature as this bill):

"Commissioner" means the Commissioner of the Department of Veterans Affairs;

"Department" means the Department of Veterans Affairs established pursuant to this act; and

"Veteran" means any person who has served in any branch of the Armed Forces of the United States for at least 90 days, except that if the term "veteran" is defined differently in any other provision of this act, any other statute, or in any federal statute, that definition shall be applicable for the purposes of those statutes.

4. (New section) The administrator and head of the department shall be a commissioner, who shall be known as the Commissioner of the Department of Veterans Affairs, and who shall be an honorably discharged veteran qualified by training and experience to perform the duties of the office. The commissioner shall be appointed by the Governor with the advice and consent of the Senate and shall serve at the pleasure of the Governor during the Governor's term of office and until the appointment and qualification of the commissioner's successor. The entire time of the commissioner shall be devoted to the duties of the office and the commissioner shall receive such salary as shall be provided by law. Any vacancy occurring in the office of the commissioner shall be filled in the same manner as the original appointment.

5. (New section) The commissioner, as head of the department, shall have all of the functions, powers, and duties heretofore vested in the Administrator of Veterans Affairs of the Department of

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 <u>thus</u> is new matter.

Military and Veterans' Affairs, previously designated in N.J.S.38A:3-2, and shall, in addition to the functions, powers, and duties vested in the commissioner by this act, P.L. , c. (C.)(pending before the Legislature as this bill), or by any other law, which are as follows:

a. Administer the work of the department;

b. Appoint and remove officers and other personnel employed within the department, subject to the provisions of Title 11A of the New Jersey Statutes and other applicable statutes, except as herein otherwise specifically provided;

c. Have authority to organize and maintain an administrative division and to assign to employment therein secretarial, clerical and other assistants in the department's or the commissioner's office as the internal operations of the department may require, in accordance with Title 11A of the New Jersey Statutes;

d. Perform, exercise, and discharge the functions, powers, and duties of the department through such divisions as may be established by this act or otherwise by law;

e. 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 commissioner may determine to be necessary for efficient and effective operation;

f. 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 as may be necessary to implement this act or as may be authorized by law;

g. Formulate and adopt rules and regulations for the efficient conduct of the work and general administration of the department, its officers, and its employees;

h. Institute, or cause to be instituted, legal proceedings or processes as may be necessary to properly enforce and give effect to any of the commissioner's powers or duties;

i. Coordinate the activities of the department, and the other divisions and agencies therein, in a manner designed to eliminate overlapping and duplicative functions;

j. Integrate within the department, so far as practicable, all staff services of the department and of the other divisions and agencies therein;

k. Have access to all relevant files and records of other State agencies and require any officer or employee therein to provide information as necessary to assist in performing the functions of the department, subject to any privacy laws;

l. Maintain suitable headquarters for the department and such other quarters as the commissioner shall deem necessary to the proper functioning of the department;

m. Encourage and facilitate the registration of each service member residing in New Jersey with the United States Department of Veterans Affairs, or its successor agency. Registration shall take place, as appropriate, when the service member returns from

deployment on federal active duty, or is discharged, or as soon as possible thereafter. The term "service member" shall mean members of the New Jersey National Guard and members of the United States Armed Forces, or a Reserve component thereof, when the information on each member is made available to the department;

n. Develop and coordinate a volunteer-based program comprised of former service members to assist and mentor veterans who become involved with the criminal justice system, while criminal proceedings are pending and afterward, with accessing assistance to resolve the underlying problems that led or contributed to the veteran's involvement with the criminal justice system including, but not limited to, offering support and guidance, securing housing, employment linkages, job training, education, transportation, disability compensation claims, discharge status, health care, and other linkages available at the local, State, and federal level that can ease the challenge of reentry into civilian life. In addition, the commissioner shall develop a registry of volunteer mentors and make the registry available pursuant to P.L.2017, c.42 (C.2C:43-23 et al.);

o. Prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.);

p. Create a comprehensive public webpage for Gold Star family members that includes, but is not limited to, the following information: State benefits; State and county liaisons; a list of service members from New Jersey killed in action; links to other Gold Star family organizations; and such other information and resources as the commissioner deems necessary and beneficial to a Gold Star family member. A "Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States;

q. Maintain a regional network of Veteran Service Offices to assist veterans and their dependents with information and guidance in filing claims and to assist with employment, education, burial, counseling, housing, social and medical services, and other areas of concern to veterans and their families, as well as provide advice and support to veterans re-entering civilian life; and

r. Perform such other functions as may be prescribed in this act or by any other law.

6. (New section) The commissioner shall appoint at least one deputy commissioner who shall be designated to perform all of the powers, functions, and duties of the commissioner during the absence or disability of the commissioner, and who shall perform such other duties as are assigned by the commissioner. The deputy

commissioner shall be an honorably discharged veteran qualified by training and experience to perform the duties of the office.

7. (New section) The Department of Veterans Affairs, through its regional network of Veteran Service Offices, shall establish a financial planning assistance program for disabled veterans and their caregivers. The purpose of the program shall be to assist disabled veterans and their caregivers with planning for the financial burdens that may arise when a veteran is disabled and needs assistance with daily care and activities including, but not limited to, bathing, dressing, meal preparation, assistance with mobility, housekeeping, shopping, and driving or transportation.

"Caregiver" means a spouse, parent, child, relative or other person who is 18 years of age or older and who has the primary responsibility of providing daily care for the eligible veteran.

"Disabled veteran" means any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service in any branch of the Armed Forces of the United States, a Reserve component thereof, or the National Guard and who has been or shall be declared by the United States Department of Veterans Affairs, or its successor, to have a service-connected disability.

8. (New section) The commissioner may apply for and accept on behalf of the State any grants from the federal government or any agency thereof, or from any foundation, corporation, association, or individual, and may comply with the terms, conditions, and limitations thereof, for any purposes of the department. Any money so received may be expended by the department, subject to any limitations imposed in such grants, to effect any of the purposes of the department, as the case may be, upon warrant of the Director of the Division of Budget and Accounting in the Department of the Treasury on vouchers certified and approved by the commissioner. The power herein granted shall be in addition to, and shall in no way limit the authority granted to the commissioner by, this act, P.L. , c. (C.)(pending before the Legislature as this bill), or any other existing law.

9. (New section) The department shall administer the following principal functions:

a. The supervision and operation of State veterans' memorial homes and cemeteries;

b. The supervision and operation of the liaison office and the field offices which serve the federal Veterans' Affairs Medical Centers;

c. The application for federal grants and programs;

d. The administration of federally-funded training and rehabilitation programs; and

e. The provision of current information to the general public on State and federal veterans' programs and benefits.

Nothing in this section shall be construed as affecting or derogating from any provision of law giving functions, powers, and duties in these areas to other departments or agencies or as giving additional functions, powers, and duties to the commissioner or the department.

10. (New section) The Commissioner of the Department of Veterans Affairs shall determine whether any person seeking to be considered a "veteran" or a "disabled veteran" under N.J.S.11A:5-1, N.J.S.18A:66-2, section 6 of P.L.1954, c.84 (C.43:15A-6) or section 1 of P.L.1983, c.391 (C.43:16A-11.7), meets the criteria set forth therein and shall be considered a veteran or disabled veteran, as appropriate, for the purposes of these laws. The commissioner shall adjudicate an appeal from any person disputing the decision of the commissioner as to whether a person is to be considered a veteran or disabled veteran, as appropriate, for the purposes of these laws. The commissioner shall promptly notify the public entity responsible for administering each such law of the determination of the commissioner, and the determination shall be binding on such public entities.

References in sections 4, 5, and 6 of P.L.2000, c.127 (C.18A:66-2.2, 43:15A-6.1, and 43:16A-11.7a) to the Adjutant General of the Department of Military and Veterans' Affairs shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs.

11. (New section) The personnel of the Department of Veterans Affairs shall consist of the following classes of employees:

a. Classified civil service employees.

b. Unclassified civil service employees, who may be relieved, suspended, or discharged for good cause. Such personnel shall be administered as far as practicable under similar regulations as those applicable to classified civil service.

12. (New section) a. The department shall submit its annual budget request directly to the Governor and the State Treasurer.

b. The commissioner may demand and receive, for the services of the department, except for establishment of veteran status, such fees as the commissioner shall determine. The commissioner shall keep a true record and account of fees received on behalf of the department pursuant to this section and shall pay the same into the State Treasury in the manner prescribed by law.

13. (New section) The commissioner shall have an appropriate seal and have affixed an impression of the same to all certificates of record issued from the Department of Veterans Affairs. Copies of any books, records, papers, and documents in the Department of

Veterans Affairs certified by the commissioner or other designated officer of the department, under seal of the Department of Veterans Affairs, shall be admitted as evidence in any court of the State, either civil or military, with the same force and effect as if the original had been produced.

14. (New section) The department, through its divisions, shall administer veteran:

a. administrative services;

b. loans, grants, and services; and

c. training, information, and referrals.

15. (New section) a. A director of a division in the department shall receive such salary as may be established by the commissioner with the approval of the Civil Service Commission and the Director of the Division of Budget and Accounting in the Department of the Treasury.

b. In the event that a director is appointed from persons holding positions in the career service of the State, the director shall retain, during tenure in such position, any rights or protections provided to that person by Title 11A, Civil Service, of the New Jersey Statutes or any pension law or retirement system.

16. (New section) The department, through its divisions, shall:

a. supervise and operate all New Jersey Veterans' Memorial Homes, including: the New Jersey Veterans' Memorial Home-Menlo Park; the New Jersey Veterans' Memorial Home-Vineland; and the New Jersey Veterans' Memorial Home-Paramus;

b. supervise and operate all New Jersey Veterans' Memorial Cemeteries, including the New Jersey Veterans' Memorial Cemetery in Arneytown; and

c. supervise and operate all veterans' homeless shelter facilities owned by the State, including Veterans Haven North and Veterans Haven South.

17. (New section) Any division established or created by the commissioner shall be under the immediate supervision of a director who shall be qualified by training and experience to direct the work of the division. Preference shall be given to honorably discharged veterans qualified by training and experience to perform the duties of the division. The director shall be appointed by the commissioner, and shall serve at the pleasure of the commissioner.

18. (New section) a. As a condition of employment as a direct care staff member at a New Jersey veterans' memorial home, an applicant for employment shall consent to and undergo drug testing for controlled dangerous substances as provided in subsection f. of this section. The drug testing shall be at the expense of the applicant.

If a person applying for employment at a New Jersey veterans memorial home on or after April 16, 2020 tests positive for the unlawful use of any controlled dangerous substance, or refuses to submit to drug testing, the person shall be removed from consideration for employment.

b. A person who is employed at a New Jersey veterans' memorial home as a direct care staff member shall be subject to random drug testing for controlled dangerous substances performed at such intervals as the commissioner deems appropriate. The commissioner shall annually perform random drug tests on 100 direct care staff members.

c. A person who is employed at a New Jersey veterans' memorial home as a direct care staff member may be required to undergo drug testing for controlled dangerous substances if the employee's immediate supervisor has reasonable suspicion to believe that the employee is illegally using a controlled dangerous substance, based on the employee's visible impairment or professional misconduct, which relates adversely to patient care or safety. The supervisor shall report this information to the immediate supervisor in a form and manner specified by the commissioner, and if the supervisor concurs that there is reasonable suspicion to believe that an employee is illegally using a controlled dangerous substance, that supervisor shall notify the chief executive officer of the New Jersey veterans' memorial home, or other executive level officer of the veterans' memorial home designated by the commissioner, and request approval in writing for ordering the employee to undergo drug testing. Drug testing of an employee shall not be ordered without the written approval of the chief executive officer or other executive level officer designated by the commissioner.

d. An employee who tests positive for the unlawful use of any controlled dangerous substance may be referred to employee advisory services, or terminated from employment, as applicable, based on the employee's job title. An employee who refuses to submit to drug testing shall be terminated from employment. In all cases, however, the employee shall retain any available right of review by the Civil Service Commission.

e. The drug testing required pursuant to subsections b. and c. of this section shall be at the expense of the Department of Veterans Affairs.

f. Drug testing shall be performed by an outside drug testing facility in a manner prescribed by the commissioner.

g. The commissioner shall notify all affected employees of New Jersey veterans' memorial homes of the provisions of this section.

h. As used in this section, "direct care staff member" means a: Human Services Technician; Human Services Assistant; physician; psychiatrist; dentist; psychologist; nurse; nurse assistant; physical, occupational, or speech therapist; social worker; and any other staff

member employed by a veterans memorial home who provides direct care to a resident at the facility, as determined by the commissioner.

i. Pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the commissioner shall adopt rules and regulations necessary to effectuate the purposes of this section, including, but not limited to, those rules and regulations necessary to ensure the confidentiality of the person undergoing drug testing, and that drug test results are not reported to law enforcement authorities.

19. (New section) The department shall establish a program to oversee the transfer of the remains of veterans from paupers' or potters' cemeteries to the Brigadier General William C. Doyle Veterans' Memorial Cemetery at the request of the veterans' next-of-kin, friends, or fellow veterans. This service shall be provided without cost to the requester. As part of this program, the department shall also inform the general public that this service is available and explain the procedure for requesting that the remains be transferred to the Brigadier General William C. Doyle Veterans' Memorial Cemetery.

20. (New section) a. A funeral director, licensed pursuant to P.L.1952, c.340 (C.45:7-32 et seq.), shall grant a qualified veterans' organization, as defined in subsection b. of section 2 of P.L.1983, c.385 (C.26:7-18.2), the right to receive the cremains of a veteran, or the cremains of an eligible spouse or eligible dependent of a veteran, which have not been claimed by a relative or friend of the deceased within one year after cremation upon certification, to the satisfaction of the Commissioner of Health, that a diligent effort, as defined in subsection a. of section 2 of P.L.1983, c.385 (C.26:7-18.2), has been made to identify, locate, and notify a relative or friend of the deceased within that one-year period, as provided under section 2 of P.L.1983, c.385 (C.26:7-18.2).

A qualified veterans' organization which takes possession of cremains pursuant to this section shall dispose of the cremains by scattering them at sea or by interring them on land in a dignified manner at the State-operated Brigadier General William C. Doyle Veterans' Memorial Cemetery, a State-operated veterans' memorial cemetery, a national veterans' memorial cemetery, or a local veterans memorial cemetery, if the individual is eligible for interment at those facilities.

b. A funeral home or mortuary, or an agent of the funeral home or mortuary, a funeral director, or a qualified veterans' organization shall not be liable for damages in any civil action arising out of the disposal of cremains pursuant to this section unless the damages are the result of gross negligence or willful misconduct.

21. (New section) The department, through its divisions, shall:

a. administer the Blind Veterans' Allowance Program established pursuant to R.S.38:18-1 et seq.;

b. administer the Paraplegic and Hemiplegic Allowance Program established pursuant to P.L.1947, c.263 (C.38:18A-1 et seq.);

c. maintain a continuous liaison with the Association of Blind Veterans and other similar State and national veterans' associations and organizations;

d. provide all necessary assistance to the Agent Orange Commission upon request;

e. administer the veterans' loan authority established pursuant to P.L.1944, c.126 (C.38:23B-1 et seq.);

f. supervise and operate the liaison and field offices which serve the federal Veterans' Administration Centers at Lyons and East Orange;

g. compete for all grants, private and federal, that would fund programs to benefit the State's veterans and their dependents; and

h. administer State tuition assistance programs for veterans and their dependents established pursuant to the provisions of chapter 71 of Title 18A of the New Jersey Statutes.

22. (New section) The department, through its divisions, shall:

a. administer the operations of the Vietnam Veterans' Outreach Program;

b. administer all federal and State training and rehabilitation programs not administered by other State departments;

c. provide current information to the general public on federal and State veterans' programs and benefits; and

d. provide a continuous liaison between the department, the Department of Education, and the Office of the Secretary of Higher Education to insure that veterans or their dependents seeking to apply for educational programs for veterans or their dependents are referred to the appropriate State office and provided with the information, forms, and assistance necessary to apply for those programs.

23. (New section) a. As used in this section and sections 24 through 36, inclusive, of this act, P.L. , c. (C.)(pending before the Legislature as this bill):

"Advisory council" means the advisory council of a veterans' facility.

"Member" means a person admitted to and receiving care in a veterans' facility.

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

"Veterans' facility" means any home, institution, hospital, or part thereof, the admission to which is under the jurisdiction of the United States Department of Veterans Affairs.

b. Subject to the provisions of this section, the Commissioner of the Department of Veterans Affairs shall be authorized, directed, and empowered to take such actions, and to issue such reasonable rules and regulations, as may be necessary for carrying out the purposes of sections 24 through 36, inclusive, of this act, including specifically to:

(1) provide standards and procedures for the application and determination of eligibility for admission to veterans' facilities;

(2) establish standards and methods for designating the veterans' facility in which an eligible person shall receive care and treatment consistent with available services and individual needs and circumstances;

(3) establish standards of care, treatment, and discipline governing the relationships between the veterans' facilities and persons admitted thereto consistent with and subject to State and federal rules, regulations, and standards of care;

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

(5) negotiate and enter into agreements or contracts with the Veterans Administration or any other appropriate State or federal agency, and to organize the work of the veterans' facilities, giving due regard to the opinion of the advisory councils, in any manner consistent with law to comply with the reasonable requirements of such State and federal agencies, in order to secure the maximum financial assistance and services for carrying out the purposes of sections 24 through 36, inclusive, of this act.

24. (New section) All applications for admission to a veterans' facility shall be made to, and in the manner and form prescribed by, the commissioner. The applicant shall provide a statement that the applicant will accept placement in the facility designated by the commissioner and will abide by the rules, regulations, and discipline of the facility to which the applicant is admitted.

25. (New section) The following persons, if they are without sufficient financial ability to provide for their support and necessary care in the community, may be admitted to a veterans' facility:

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

b. The spouse of any person who has been admitted to a veterans' facility, provided that the spouse is not less than 50 years of age and has been married to such person for a period of not less than 10 years;

c. The surviving spouse of a person who died an honorable death while in the active military service of the United States, or who was a disabled veteran at the time of death, provided that the surviving spouse was the person's spouse at the time of the person's service or was married to the person not less than 10 years prior to the date of application and has not married since the person's death, and provided that the surviving spouse has been a resident of New Jersey for at least two years prior to the date of application; and

d. The parent of a person who was a resident of New Jersey at the time of entry into, and who died an honorable death in time of war or emergency while in, the active military service of the United States, provided that the parent has been a resident of New Jersey for at least two years prior to the date of application.

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

26. (New section) Any disabled veteran who is in distress may be admitted to a veterans' facility for a temporary period in accordance with the rules and regulations promulgated by the commissioner.

27. (New section) A person admitted to a veterans' facility shall be entitled to all of its benefits and be furnished with the clothing, subsistence, medical and surgical attendance necessary to promote the person’s health and welfare in accordance with the rules and regulations of the commissioner.

28. (New section) Any person may be removed from a veterans' facility on being restored the ability to promote the person’s own support and welfare in the community, for immorality, for fraud or willful misrepresentation, or for refusal to abide by the rules, regulations, and discipline of the veterans' facility.

29. (New section) The commissioner may from time to time request that the commissioner of the department overseeing psychiatric hospitals designate any State hospital for the care of the mentally ill, or a part thereof, as a treatment unit for veterans who require such care and who are eligible for admission to a veterans' facility. Upon making such designation, the commissioner of the appropriate department shall cause to be filed with the Commissioner of the Department of Veterans Affairs and the Secretary of State a certificate setting forth the fact thereof, a description of the precise treatment unit so designated, and its location.

30. (New section) Admission of a veteran to a treatment unit as designated pursuant to section 29 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), shall require:

a. a determination by the appropriate department that such veteran is mentally ill in accordance with the appropriate provisions of Title 30 of the Revised Statutes; and

b. a determination by the Commissioner of the Department of Veterans Affairs that such veteran is eligible for admission to a veterans' facility.

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

31. (New section) The commissioner shall be authorized and empowered to accept and receive funds from the United States Government or any agency thereof, and to accept and receive payments from all members, and their family, relatives, and friends towards the cost of care and treatment as provided in the rules and regulations pertaining thereto.

32. (New section) a. Except in the case of an emergency condition, the commissioner shall not implement a decision to close an existing veterans' facility or to privatize any services, functions, or units of an existing facility if the commissioner finds that the decision shall result in the abolition of 100 or more non-vacant, full-time positions in the career service at the existing facility or facilities affected by the decision, unless the commissioner has complied with the procedures set forth in this section.

b. The commissioner shall conduct at least one public hearing, which shall be held in the region in which the facility is located, or a central location designated by the commissioner if more than one facility is affected by the decision, to provide an opportunity for the public to submit testimony on the proposed closing or privatization. The hearing shall be conducted at least 45 days in advance of a facility closure, or at least 30 days prior to the issuance of a Request for Proposal. For a facility closure, the public hearing shall be held within 15 days of publication of a Notice of Intent to close a facility by the commissioner. The commissioner shall select a publicly convenient location for the hearing and shall give all persons the opportunity to testify in person or to submit written testimony.

c. The Notice of Intent to close a facility shall be mailed, telephoned, telegrammed, or hand delivered to at least two newspapers for publication, at least one of which shall be within the geographic boundaries of the county where the facility is located. Failure to comply with the requirements of this subsection shall not invalidate or delay any facility closure.

d. The commissioner shall prepare a report setting forth a fiscal impact analysis, policy rationale, and summary of the testimony received at any hearing held pursuant to this section. This report shall be submitted to the chairman of the Joint Budget Oversight

Committee within five days of the issuance of a Notice of Intent to Award or within 30 days following the last scheduled public hearing for a facility closure.

33. (New section) The commissioner shall conduct, or contract with another entity to conduct, a series of follow-up studies to assess the well-being of all former residents of State veterans' memorial homes who have made a transition into the community after the effective date of this act, P.L. , c. (C.)(pending before the Legislature as this bill), as a result of implementation of a plan to close a State veterans' memorial home, and also an assessment of the well-being of all former residents for each of the five years after the closure.

The commissioner shall compile the results of the follow-up studies conducted pursuant to this section and shall include this information in a series of reports that the commissioner shall submit to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1).

The report of a follow-up study on the well-being of all former residents of State veterans' memorial homes, who have made a transition into the community after the effective date of this act as a result of the implementation of a plan to close a State veterans' memorial home, shall be submitted one year after the beginning of implementation of the plan, and annually thereafter, until the veterans' memorial home has closed. In addition, for each of the five years after the closure of a home, a report of a follow-up study on the well-being of all former residents of the home shall be submitted.

Reports submitted pursuant to this section shall be made publicly available on the website of the Department of Veterans Affairs.

34. (New section) There are established in the Department of Veterans Affairs four advisory councils known as:

a. The New Jersey Veterans' Memorial Home Advisory Council-Menlo Park;

b. The New Jersey Veterans' Memorial Home Advisory Council-Vineland;

c. The New Jersey Veterans' Memorial Home Advisory Council-Paramus; and

d. The New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown.

Each advisory council shall consist of seven members, at least five of whom are veterans, to be appointed by the commissioner. The term of each council member, except for the initial members, shall be three years commencing on July 1 and ending on June 30 of the third year thereafter, and any vacancy shall be filled for the unexpired term only.

The members of the advisory council shall receive no compensation for their services but shall be reimbursed for actual

expenditures incurred in the performance of their duty. The members are subject to removal by the commissioner at any time for good and sufficient cause.

35. (New section) Subject to the provisions of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and under general policies established by the commissioner, the advisory councils of the veterans' facilities shall:

a. recommend standards and procedures for application and termination of eligibility for admission to veterans' facilities;

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 needs and circumstances;

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

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

36. (New section) Moneys, choses in action, and effects deposited by a member in trust with the veterans' facility and unclaimed at the death of the member, dying intestate, shall be deemed to be the property of the veterans' facility. Such property shall be held in trust for three years following the death of the depositor, with power to invest the funds and to use the income for the benefit of the members as the advisory council of the veterans' facility and the commissioner deem most advisable.

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

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

37. (New section) Subject to the provisions of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and under general policies established by the commissioner, the New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown shall:

a. recommend standards and procedures for application and determination of eligibility for interment in the veterans' cemetery; and

b. advise the commissioner regarding operating policies and procedures as they apply to veterans' family members, funeral directors, and the relationship of the veterans' cemetery with the other veterans' facilities.

38. (New section) In conjunction with the New Jersey Veterans' Memorial Home Advisory Council-Menlo Park, the New Jersey Veterans' Memorial Home Advisory Council-Vineland, the New Jersey Veterans' Memorial Home Advisory Council-Paramus, and the New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown, any reference in any law, contract, or document to the Adjutant General of the Department of Military and Veterans' Affairs or the department shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs or the Department of Veterans Affairs.

39. (New section) There is established by the department a program to assist an eligible family member of a veteran who is already in a New Jersey veterans' memorial home, or an eligible family member of a veteran who is about to enter such a home, in being appointed as guardian of the veteran. In the event that a family member of a veteran who is already in a New Jersey veterans' memorial home, or is about to enter such a home, is not willing or available to serve as guardian of that veteran, some other interested person closely associated with the veteran shall be eligible for assistance in being appointed as guardian under the program herein established. The assistance provided to a family member of a veteran or to some other interested and eligible person associated with a veteran shall be in the form of both technical and financial support.

The commissioner shall develop economic criteria for determining eligibility for financial assistance pursuant to the program established by this section.

40. (New section) The department shall ensure that each veterans' memorial home shall hold quarterly town hall meetings with all veterans' guardians appointed pursuant to section 39 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and persons otherwise having the veteran's power of attorney. The meetings may take place in-person or remotely using the Internet or other electronic means.

Whenever a public health emergency is declared by the Governor pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), each veteran's guardian appointed pursuant to section 39 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), or each person otherwise having the

veteran's power of attorney, shall be allowed to remove the veteran from the veterans' memorial home pursuant to procedures established under Department of Veterans Affairs rules and regulations, except the department shall allow for an initial extension of up to 30 days and one additional extension of up to 30 days. The resident veteran shall be required to continue to pay the care and maintenance fee while on temporary furlough to hold a bed. Regular operating procedures shall resume at the conclusion of the public health emergency.

The department shall ensure that each veterans' memorial home shall communicate updates to each veteran's guardian appointed pursuant to section 39 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and each person otherwise having the veteran's power of attorney, through a minimum of two communication means, which shall include regular mail, email, text message, and voice.

41. (New section) a. Notwithstanding the provisions of any law, rule, or regulation to the contrary, the Commissioner of the Department of Veterans Affairs shall transmit a weekly report on the status of the State veterans' memorial homes to the Commissioner of the Department of Health whenever a public health emergency, pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), has been declared by the Governor and is in effect. The weekly report shall include:

(1) the number of residents and staff in each veterans' home, including comparisons to previous reports;

(2) any significant health risks posed to the residents and staff in each veterans' home due to the public health emergency;

(3) any changes in operating procedures in each veterans' home due to the public health emergency; and

(4) the amount of personal protective equipment available to residents and staff at each veterans' home.

b. As used in this section:

(1) "veterans' home" means the New Jersey Veterans' Memorial Home - Menlo Park, the New Jersey Veterans' Memorial Home - Vineland, and the New Jersey Veterans' Memorial Home - Paramus.

(2) "personal protective equipment" means any items commonly used to protect an individual from bacterial or viral infections, including, but not limited to, disinfecting wipes, disposable gloves, disposable gowns, face shields, N95 face masks, surgical masks, or parts thereof.

42. (New section) a. The Department of Veterans Affairs shall establish a position to be known as a resident advocate at each State veterans' memorial home. The resident advocate shall have a direct reporting relationship to the director of the division that oversees the veterans’ memorial homes.

b. The resident advocate shall:

(1) act as a liaison between the State veterans' memorial home and each of the residents at the State veterans' memorial home;

(2) receive complaints from residents at the State veterans' memorial home; and

(3) respond to any concerns or grievances from the residents at the State veterans' memorial home and, if appropriate, submit concerns or grievances to the State Long-Term Care Ombudsman.

c. A resident advocate who receives an oral or written complaint from a resident at a State veterans' memorial home shall log the complaint from the resident on a written or electronic form. The division that oversees the veterans' memorial homes shall develop, publish, and distribute the written and electronic form to be used by the resident advocate. At a minimum, the written and electronic form shall contain spaces for:

(1) the name of the resident submitting the complaint;

(2) the nature of the complaint;

(3) whether the complaint is an emergency that requires an immediate response, a critical situation that requires a reasonably prompt response, or a noncritical situation that requires an appropriately timely response; and

(4) a plan of action for the complaint and an estimated time frame within which the action will be taken.

d. A resident advocate who fills out a form under subsection c. of this section shall provide one copy of the form to the resident submitting the complaint and one copy to the administrator of the State veterans' memorial home. The resident advocate shall also retain the advocate's copy for not less than one year after the complaint is resolved.

e. A State veterans' memorial home shall make every reasonable effort to make the resident advocate at that memorial home easily identifiable by posting the name and work hours of the resident advocate and shall make every reasonable effort to assure that the plan of action prepared by the resident advocate pursuant paragraph (4) of subsection c. of this section is carried out within the time frame set forth in the plan of action.

43. (New section) a. The department shall organize and administer a program of voluntary commitments by employers throughout the State to participate in a plan of veterans' preference in private employment and reemployment.

b. The plan of veterans' preference in private employment shall provide for the fixing of a quota of veterans by the commissioner for all participating employers, but may not require any employed worker to be discharged. The plan shall also provide for the classification of disabled veterans in occupations for which they would not be handicapped, and for first preference in such occupations for such disabled veterans.

c. In the organization and administration of the employment quota preference plan, the commissioner, through appropriate federal, State and local agencies, shall:

Enroll employers who voluntarily commit themselves to the plan and certify the right of such employers to approved forms of public recognition;

Register veterans desiring employment, according to their occupational experience and capacities;

Register labor unions which are willing to participate through appropriate adjustment of their membership and other requirements, and certify the right of such unions to approved forms of public recognition;

Receive requests for workers from all participating employers; and

Either refer qualified veterans, with preference to the disabled, in response to such requisitions or certify that veterans are not available.

44. (New section) The department shall review and approve or disapprove all policies and work programs of State departments, agencies, and instrumentalities relating to veterans' welfare, services, or activities. No such activity or work program shall be undertaken or continued after disapproval by the department without specific authorization from the Governor.

45. (New section) a. Any dependent of a prisoner of war or a person missing in action, upon being accepted to pursue a course of undergraduate study in any private institution of higher education in this State or in any public institution of higher education of this State as enumerated in N.J.S.18A:62-1, shall be allowed to obtain a bachelor's degree, or certificate of completion, for so long as he is eligible, free of tuition. Once a person qualifies as a dependent under this section, there shall be no situation such as the return of the parent or the reported death of the parent that will terminate the eligibility of the dependent to receive the benefits under this section.

b. As used in this section:

"Dependent" means any child born before, during, or after the period of time the child's parent was a prisoner of war or a person missing in action, or any child legally adopted or in the legal custody of the parent prior to, during, or after the time the parent was a prisoner of war or a person missing in action.

"Prisoner of war" and "person missing in action" means any person who was a resident of this State at the time he or she entered service in the United States Armed Forces, or whose official residence is within this State, and who, while serving in said United States Armed Forces, has been declared to be a prisoner of war, or to be a person missing in action as established by the Secretary of Defense after January 1, 1960.

46. (New section) a. As used in this section:

"Approved course of study" means any curriculum or any combination of unit courses or subjects pursued at an educational institution which is accepted for Veteran's Educational Assistance pursuant to federal law.

"Approved educational institution" means (1) any academic, professional, or vocational school operating within this State, or (2) any graduate level school operating within the United States, or (3) any academic, professional, or vocational school operating outside of this State; provided that the institution shall have made a prior written agreement to accept the tuition credit and reimbursement provided for in this section; provided, further, that no more than 20% of the eligible veterans under subparagraphs (2) and (3) of this paragraph shall attend an approved educational institution operating outside of this State. To qualify as an "approved educational institution" under this section, an institution shall have been approved for Veteran's Educational Assistance pursuant to federal law.

"Eligible veteran" means any veteran of the Armed Forces of the United States residing in New Jersey who is or was eligible for Veteran's Educational Assistance pursuant to federal law and who (1) was domiciled in New Jersey at the time of induction into the Armed Forces, or (2) has been domiciled in New Jersey for a period of not less than 12 consecutive months prior to the date of application, exclusive of any time spent on active duty.

b. For the purposes of this section:

An institutional trade or technical course offered at a nonaccredited school on a clock-hour basis involving shop practice as an integral part thereof shall be considered a full-time course when a minimum of 30 hours per week of attendance is required with no more than two and one-half hours of rest periods per week and no more than three hours of supervised study per week allowed;

An institutional course offered at a nonaccredited school on a clock-hour basis in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of 25 hours per week net of instruction, which may include customary intervals not to exceed 10 minutes between hours of instruction, is required and no more than three hours of supervised study per week is allowed;

An institutional trade or technical course offered at an accredited school on a clock-hour basis which leads to a standard trade or technical degree and involves shop practice as an integral part thereof shall be considered a full-time course when a minimum of 22 hours per week of attendance is required with no more than two and one-half hours of rest periods per week and no more than three hours of supervised study per week allowed;

An institutional course offered at an accredited school on a clock-hour basis which leads to a standard trade or technical degree in which theoretical or classroom instruction predominates shall be

considered a full-time course when a minimum of 18 hours per week of instruction, which may include customary intervals not to exceed 10 minutes between hours of instruction, is required and no more than two and one-half hours of supervised study is allowed;

An academic high school course requiring 16 units for a full course shall be considered a full-time course when a minimum of four units per year is required, with a unit defined to be not less than 120 60-minute hours or their equivalent of study in any subject in one academic year; and

An institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis shall be considered a full-time course when a minimum of 14 semester hours or the equivalent thereof, for which credit is granted toward a standard college degree, including those for which no credit is granted but which are required to be taken to correct an educational deficiency, is required, except that when the college or university certifies, upon the request of the department, that (1) full-time tuition is charged to all undergraduate students carrying a minimum of less than 14 semester hours or the equivalent thereof or (2) all undergraduate students carrying a minimum of less than 14 semester hours or the equivalent thereof are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by the college or university with the minimum number of semester hours shall be considered a full-time course. In the event the minimum number of semester hours is less than 12 semester hours or the equivalent thereof, less then 12 semester hours or the equivalent thereof shall be considered a full-time course.

Each eligible veteran may select an approved course of study at any approved educational institution selected by the veteran, which will accept and retain the veteran as a student or trainee in any field or branch of knowledge which the institution finds him or her qualified to undertake or pursue.

c. Any eligible veteran who desires tuition credit pursuant to this section, within eight years from the date of (a) separation from active duty or (b) March 3, 1976, whichever is later, shall submit an application to the Department of Veterans Affairs which shall be in a form and contain information as the department shall prescribe. The department shall approve the application unless it finds that the veteran is ineligible for or not entitled to tuition credit, or that the veteran's course of study is not approved pursuant to this section, or that the veteran has already been approved. The department shall notify the veteran and the veteran's selected educational institution of the approval of the application.

d. Each eligible veteran shall be entitled to tuition credit pursuant to this section in accordance with the following schedule:

(1) For a period of one semester, or the equivalent thereof in part-time tuition credit, in the case of educational institutions regularly operated on the semester system, for each three months or

fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during such period of time, the veteran shall be entitled to tuition credit pursuant to this section for a period of eight semesters, or the equivalent thereof in part-time tuition credit. The maximum credit hereunder shall be for a period of eight semesters; or

(2) For a period of one-quarter, or the equivalent thereof in part-time tuition credit, in the case of educational institutions regularly operated on the quarter system, for each two months or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during that period of time, the veteran shall be entitled to tuition credit pursuant to this section for a period of 12 quarters. The maximum credit hereunder shall be for a period of 12 quarters; or

(3) For a period of one and one-half months of any tuition period, or the equivalent thereof in part-time tuition credit, in the case of educational institutions not operated on the quarter or semester system, for each month or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during that period of time, the veteran shall be entitled to tuition credit pursuant to this section for 36 months of tuition credit, or the equivalent thereof in part-time tuition credit. The maximum credit hereunder shall be for a period of 36 months.

e. If an eligible veteran shall change the veteran's program of study from an educational institution regularly operated on the quarter or semester system, or otherwise, to an educational institution regularly operated on a different system, the remainder of the credit shall accordingly be redistributed by the department in such manner as to carry out the intent of this section.

f. Benefits hereunder shall be in the form of tuition credits limited by the lesser of full tuition or for:

(1) educational institutions regularly operated on the semester system, $200 per semester.

(2) educational institutions regularly operated on the quarter system, $100 per quarter.

(3) educational institutions not regularly operated on the semester or quarter system, $400 per full school year prorated on an equal basis as the Department of Veterans Affairs shall determine.

For veterans pursuing a program of part-time education, the tuition credit shall be in such amounts as the department shall determine. These veterans shall be eligible to receive awards during summer terms, provided that the total award during the period from September 1 to August 31 of any academic year does not exceed the amount of assistance a full-time student at the same institution would receive.

g. Reimbursement for tuition credit shall be made by the State Treasurer to the approved educational institution upon certification by the institution that the veteran is enrolled for the current period and upon certification by the Department of Veterans Affairs that the veteran is both eligible and entitled to tuition credit hereunder subject to the provisions of this section. Reimbursement for tuition credit shall be made out of funds accumulated from the State Lottery.

h. Any benefits granted to eligible veterans pursuant to this section shall not be considered income or an asset in determining financial need for any financial assistance for higher education provided pursuant to Title 18A of the New Jersey Statutes.

i. In the event that the amount appropriated in any fiscal year is insufficient to carry out in full the provisions of this section, the department shall apportion the amount among the eligible veterans applying for tuition credit in proportion to the amount each veteran would be allocated if the full amount were appropriated.

47. (New section) a. As used in this section:

"Vietnam veteran" means a resident of this State who:

(1) served in the Armed Forces of the United States in Southeast Asia in the Vietnam conflict and received a Vietnam Service Ribbon or an Armed Forces Expeditionary Medal;

(2) was honorably discharged or generally discharged under honorable conditions; and

(3) was domiciled in New Jersey on April 9, 1985, for a period of not less than two consecutive years, exclusive of any time spent on active duty.

b. A Vietnam veteran, upon being accepted to pursue a course of study for an initial undergraduate degree in a public institution of higher education of this State as enumerated in N.J.S.18A:62-1, shall be entitled to tuition assistance, while enrolled as a student in good standing at that college, in an amount up to the full tuition cost as determined by the Department of Veterans Affairs pursuant to this section.

c. A Vietnam veteran, upon being accepted to pursue a course of study for an initial undergraduate degree at an independent college or university located in the State, shall be entitled to tuition assistance, while enrolled as a student in good standing at that college or university, in an amount as determined by the Department of Veterans Affairs pursuant to this section, but in an amount not more than the tuition charged at Rutgers, The State University.

d. A tuition award shall not be granted pursuant to this section unless the Vietnam veteran has applied for all other available State or federal student financial aid.

e. Eligibility for this program shall be limited to a period of five years from April 9, 1985. A Vietnam veteran shall be eligible for a tuition award for four academic years, unless the veteran is enrolled

in an undergraduate program regularly requiring five academic years for completion, in which case the veteran shall be entitled to a tuition award for a fifth year.

48. (New section) The Department of Veterans Affairs shall provide a link on its website to the directory of public and independent institutions of higher education located on the website of the New Jersey Office of the Secretary of Higher Education. The link shall be placed on the page of the department's website that lists the education benefits available to veterans.

49. (New section) a. This section shall be known and may be cited as the "New Jersey Homeless Veterans Grant Program Law."

b. There is established in the Department of Veterans Affairs the "New Jersey Homeless Veterans Grant Program." The purpose of this program shall be to award grants to organizations that assist homeless veterans in this State from funds appropriated to the department from the "Homeless Veterans Grant Fund" established pursuant to section 4 of P.L.2013, c.239 (C.54A:9-25.33). The grants shall be allocated on a competitive basis, except grants allocated to public or private entities that provide legal services to homeless veterans and veterans at risk of homelessness shall be allocated pursuant to section 50 of P.L. , c. (C.)(pending before the Legislature as this bill). The Commissioner of the Department of Veterans Affairs shall develop criteria for the granting of awards. An organization that wishes to apply for a grant under this program shall submit an application to the commissioner. The application shall, at the minimum, include a description of how the organization will assist homeless veterans. The commissioner may adopt, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as may be necessary to effectuate the grant program.

50. (New section) a. This section shall be known and may be cited as the "Homeless Veterans Legal Services Law."

b. Subject to the availability of funds appropriated for this purpose, including but not limited to funding appropriated through section 49 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), the New Jersey Homeless Veterans Grant Program, the Commissioner of the Department of Veterans Affairs shall enter into agreements with public or private entities to fund a portion of the legal services specified in this section, that are provided by such entities to homeless veterans and veterans at risk of homelessness.

c. The commissioner shall ensure that, to the extent practicable, agreements established under this section are made with entities located in the northern, central, and southern regions of the State.

d. Legal services shall include legal services provided by public or private entities that address the needs of homeless veterans and veterans at risk of homelessness as follows:

(1) Legal services related to housing, including eviction defense, representation in landlord-tenant cases, and representation in foreclosure cases.

(2) Legal services related to family law, including assistance in court proceedings for child support, divorce, estate planning, and family reconciliation.

(3) Legal services related to income support, including assistance in obtaining public benefits.

(4) Legal services related to criminal defense, including defense in matters symptomatic of homelessness, such as outstanding warrants, fines, and driver's license revocation, to reduce recidivism and facilitate the overcoming of reentry obstacles in employment or housing.

(5) Such other legal services as the commissioner deems appropriate.

d. In developing and carrying out agreements under this section, the commissioner shall, to the extent practicable consult, with veterans service organizations, and coordinate appropriate outreach relationships with such organizations.

e. The commissioner may require entities that enter into agreements under this section to submit periodic reports on legal services provided to homeless veterans and veterans at risk of homelessness.

51. (New section) a. The Commissioner of the Department of Veterans Affairs shall provide county prosecutors with a registry of volunteer mentors developed pursuant to subsection (o) of section 5 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), to facilitate the assignment of mentors to eligible service members who have been admitted by the prosecutor into the Veterans Diversion Program established pursuant to P.L.2017, c.42 (C.2C:43-23 et al.). A copy of the registry shall also be provided to the Administrative Director of the Courts to facilitate the assignment of mentors to eligible service members who have been sentenced to a term of probation supervision. The registry of mentors shall be periodically updated by the Department of Veterans Affairs.

b. The Commissioner of the Department of Veterans Affairs shall also prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

52. (New section) a. There is created in the Department of Veterans Affairs, the Commission on Women Veterans. The commission shall work in collaboration with other State agencies and appropriate groups to study and review the needs, priorities,

programs, and policies relating to women veterans, including, but not limited to, housing, health care, job training, and outreach. The commission shall ensure that all service providers and citizens are aware of the needs and services available to women veterans and make recommendations for community education and training programs. The commission shall provide outreach in conjunction with the Department of Veterans Affairs and other organizations to educate and recruit prospective veterans.

b. The commission shall consist of 15 members who are New Jersey residents. The Governor shall appoint 12 members and, of the 12 appointed, nine shall be women. There shall be appointed one representative from each of the following branches of military service who may also be affiliated with an organization named below: the Army; the Air Force; the Coast Guard; the Marines; and the Navy. There shall also be appointed by the Governor, one representative from the Veterans of Foreign Wars, one representative from the American Legion, one representative from the Disabled American Veterans, one representative from the American Veterans, one representative from the New Jersey Army National Guard, one representative from the New Jersey Air National Guard, and one representative from the Military Order of the Purple Heart. The Commissioner of the Department of Veterans Affairs, the Commissioner of Labor and Workforce Development, and the Director of the Division on Women in the Department of Children and Families, or their respective designees, shall serve as ex-officio members.

c. The public members shall serve for terms of three years and until the appointment and qualification of their successors, except that of the initial appointment of public members, four shall be appointed for a term of three years, four shall be appointed for a term of two years, and four shall be appointed for a term of one year.

If any public member discontinues affiliation with the respective veterans' organization, the member shall immediately resign membership with the commission.

Any vacancy in the membership of the commission shall be filled in the same manner as the original appointments are made.

d. The members of the commission shall serve without compensation, but may be reimbursed for necessary and reasonable expenses incurred in the performance of their duties within the limits of funds appropriated or otherwise made available to the commission for its purposes.

e. The commission shall organize as soon as may be practicable after the appointment of a majority of its members and shall select from among its members a chairperson and a vice chairperson, who shall be responsible for the coordination of all activities of the commission. The members shall select a secretary, who need not be a member of the commission.

f. The commission shall meet at the call of the chairperson and hold hearings at such places as it shall designate. A meeting of the commission may also be called upon the request of eight of the commission members, and eight members of the commission shall constitute a quorum at any meeting thereof. The commission shall meet not less than quarterly.

g. The commission may conduct public hearings at such places and at such times as it shall designate, at which it may solicit the testimony of interested persons, groups, and the general public.

h. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes. The Department of Veterans Affairs shall provide such organizational and personnel support as the commission may request.

i. The commission shall prepare and submit an initial report to the Governor, the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), and the Deputy Commissioner of the Department of Veterans Affairs.

j. The commission shall prepare and submit annual reports containing its findings, activities, and recommendations, including any recommendations for administrative and legislative action that it deems appropriate, to the Governor, the Legislature, and the Commissioner of the Department of Veterans Affairs.

The commission shall periodically advise the Deputy Commissioner of the Department of Veterans Affairs on its activities, findings, and recommendations.

53. (New section) a. The Department of Veterans Affairs shall create and maintain a registry of all organizations that provide services to military veterans. The registry shall be prominently displayed, and organized topically, on a public webpage of the department to provide a comprehensive listing of organizations with services addressing the needs of veterans. The department shall actively seek out organizations to include on the registry, and organizations may also voluntarily submit requests to be included on the registry.

The department shall conduct a review of any organization prior to the organization's inclusion on the registry, and the department may, in its discretion, refuse to include an organization on the registry or remove an organization from the registry if the department determines that the organization's services do not reflect the purpose of the registry. Inclusion on the registry shall not be construed to be an endorsement of an organization by the department or State.

b. As used in this section, "organizations that provide services to veterans" includes any organization, not for profit or otherwise, exclusively providing services to veterans or primarily providing

services to veterans, or any organization that provides services to a variety of recipients including veterans.

54. (New section) a. There is created within the Department of Veterans Affairs two advisory councils to be known as Veterans Haven North Council and Veterans Haven South Council. The Veterans Haven North Council shall represent the northern facility and the Veterans Haven South Council shall represent the southern facility. The two councils shall have joint meetings no less than once each calendar year.

Each council shall consist of eight members, at least five of whom shall be veterans, and shall include no less than two women. A Deputy Commissioner of the Department of Veterans Affairs, or a designee, shall serve as a nonvoting ex-officio member on each council. Each member shall be appointed by the commissioner. The term of each council member shall be three years, except that, of the first appointments, two shall be for a term of one year, two for a term of two years, and three for a term of three years. At no time shall a member be allowed to serve more than two terms in the aggregate, or on both councils at the same time.

b. The members of each council shall nominate a chairperson by majority vote of the members, and four members shall constitute a majority. The chairperson of each council shall be its presiding officer and shall serve until a successor has been nominated by the council.

c. Any vacancy shall be filled for the unexpired term only. Members of the council shall be subject to removal by the commissioner at any time for good and sufficient cause.

d. The members of the council shall receive no compensation for their services, but shall be reimbursed for actual expenditures incurred in the performance of their duties within the limits of funds appropriated or otherwise made available for this purpose.

55. (New section) Under general policies established by the commissioner, each Veterans Haven council shall:

a. formulate comprehensive policies for the coordination of all services for the benefit of veterans housed at the Veterans Haven facilities;

b. consult with and advise the Deputy Commissioner of the Department of Veterans Affairs and the Director of Veterans' Services with respect to the work of each Veterans Haven facility;

c. recommend standards and procedures for application and termination of eligibility for admission to each Veterans Haven facility; and

d. recommend standards of care, treatment and discipline governing the relationship between each Veterans Haven facility and the persons admitted thereto.

56. (New section) The Department of Veterans Affairs shall establish a program to provide assistance to qualified veterans in in-patient and out-patient treatment programs with travel to attend medical counseling appointments for service-connected conditions approved and authorized by the United States Department of Veterans Affairs within this State.

The department shall:

a. develop, in cooperation with the New Jersey Transit Corporation and the United States Department of Veterans Affairs, a program to provide reimbursement, subject to available State or federal funding, to qualified veterans who spend their own funds to travel on public transportation to and from medical counseling appointments for service-connected conditions within the State using any motor bus or rail passenger service conducted by the corporation when the veteran is not otherwise eligible for payment for travel or reimbursement by means of any existing State or federal program;

b. develop, in cooperation with the United States Department of Veterans Affairs, a program to provide reimbursement to qualified veterans who spend their own funds to travel using private transportation to and from medical counseling appointments for service-connected conditions within the State by reimbursing on a per mile basis their operation of a privately-owned conveyance when that veteran is not otherwise eligible for payment for travel or reimbursement by means of any existing State or federal program, provided that the qualified veteran shall not use a for-hire private entity that charges for transportation unless such transportation is necessary for the qualified veteran due to a service-connected injury or disability for which the veteran has a certified rating provided by the United States Department of Veterans Affairs which prevents or hinders his or her ability to operate a privately-owned conveyance;

c. develop, in coordination with the United States Department of Veterans Affairs, a system for monitoring veterans who have applied for reimbursement;

d. notify the general public and eligible veterans that the program established by this section is available to qualified veterans; and

e. adopt such rules and regulations as may be necessary to effectuate the purposes of this section.

57. (New section) a. The Department of Veterans Affairs, in consultation with the Division of Travel and Tourism in the Department of State and the New Jersey Historical Commission, shall develop and maintain a website providing information detailing war battles fought and places of historic significance to the military or war efforts in New Jersey. The website shall: (1) specify the date and location, and describe the importance, of each battle that took place on lands within the State or in State waters; and (2) identify, and describe the importance of, locations within

the State or in State waters that are, or have been, significant to the military or war efforts, such as those locations used for military operations or training or those locations which house, berth, or preserve historic military equipment, vehicles, or vessels, including battleships, fighter planes, and tanks. The information on the website shall be available as a list and in an online tour format, and shall include, but need not be limited to, information pertaining to battles fought and places that are of historic significance to military actions or war efforts undertaken during the Revolutionary War, the War of 1812, the Mexican-American War, the Civil War, the Spanish-American War, World War I, World War II, the Korean War, and the Vietnam War.

b. The department shall be entitled to call to its assistance and avail itself of the services of the employees of any State, county, or municipal department, authority, board, bureau, commission, agency, or entity, or of Rutgers, The State University, or any other public institution of higher education in the State, as it may require and as may be available to it for the purpose of carrying out its duties under this act, P.L. , c.)(pending before the Legislature as this bill).

58. (New section) The Legislature finds and declares that:

a. Residents of New Jersey have answered the call to fight for our country many times as members of the United States military and as members of the New Jersey National Guard.

b. Throughout history, New Jersey residents have made the ultimate sacrifice for their country and have given their life for our freedom.

c. The family members left behind after the untimely deaths of these brave service members, known as Gold Star family members, are often left with emotional wounds who need the caring intervention of a mental health professional to grieve and learn to live with the new reality of their loved one's passing.

d. The United States Department of Veterans Affairs has taken the lead to provide mental health care to veterans and certain family members with the establishment of the Care Enough to Share program, which links mental health professionals with an opportunity to volunteer their time and talents to help the nation's veterans and certain family members by providing mental health counseling.

e. It is honorable and necessary that the State of New Jersey assist these Gold Star family members in their grief by establishing programs that can link mental health care professionals with the family members to provide the needed mental health care free of charge to the families.

59. (New section) As used in this section and section 60 of this act, P.L. , c. (C.)(pending before the Legislature as this bill):

"Gold Star family member" means an individual who is a New Jersey resident and is the surviving spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole blood or the half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States.

"Mental health care professional" means a person who provides mental health services and is licensed or otherwise authorized, pursuant to Title 45 of the Revised Statutes, to practice a health care profession that is regulated by one of the following: the State Board of Medical Examiners; the State Board of Psychological Examiners; the State Board of Social Work Examiners; the State Board of Marriage and Family Therapy Examiners; the Alcohol and Drug Counselor Committee; the Professional Counselor Examiners Committee; or the Certified Psychoanalysts Advisory Committee.

60. (New section) There is established in the Department of Veterans Affairs the "Gold Star Family Counseling Program." The purpose of this program is to link mental health care professionals with Gold Star family members to facilitate the provision of mental health counseling free of charge to Gold Star family members. The Commissioner of the Department of Veterans Affairs shall create and implement the "Gold Star Family Counseling Program" as follows:

a. The department shall recruit mental health care professionals to donate professional counseling hours to provide mental health counseling to Gold Star family members. The department may coordinate the recruitment efforts with the federal Department of Veterans Affairs.

b. The department shall coordinate with the federal Department of Veterans Affairs to maintain a list of mental health care professionals who are available to provide professional mental health counseling hours to Gold Star family members.

c. The department shall maintain and distribute the list of available mental health care professionals on a Statewide basis and shall distribute the list of available mental health care professionals to each county veteran service office for the distribution thereof.

d. The department shall create a system for monitoring and verifying the donated hours to facilitate the tax credit provided to mental health care professionals pursuant to section 6 of P.L.2017, c.174 (C.54A:4-16).

e. The department shall provide documentation annually to the mental health care professional for submission to the Department of the Treasury to verify the amount of tax credit the mental health care professional is eligible to request annually pursuant to section 6 of P.L.2017, c.174 (C.54A:4-16). The amount of annual tax credit shall be determined by the department as the sum of the hours of donated counseling provided to the Gold Star family member

multiplied by the documented compensation rate applied to these hours. To determine the compensation rate, the department shall use the calendar year TRICARE rate for the service provided in the geographic location in which the service is provided. The department shall limit the cumulative hours which are authorized for the annual tax credit to a minimum of 20 hours and a maximum of 40 hours per year, per professional.

f. All mental health care professionals volunteering for the "Gold Star Family Counseling Program" established pursuant to this section shall be immune from civil liability as provided in P.L.1991, c.270 (C.2A:62A-16 et seq.).

g. The department may apply for and accept on behalf of the State any grants from the federal government or any agency thereof, or from any foundation, corporation, association, or individual, except for education grants or federal funds for education grants, and may comply with the terms, conditions, and limitations thereof, to develop and implement the "Gold Star Family Counseling Program" established pursuant to this section. Any money so received may be expended by the department, subject to any limitations imposed in such grants, upon warrant of the Director of the Division of Budget and Accounting of the Department of the Treasury.

61. (New section) a. The department shall maintain a list of each person possessing a Gold Star Family license plate, issued pursuant to section 2 of P.L.2011, c.17 (C.39:3-27.142), and each person holding a driver's license or identification card with a Gold Star Family designation, issued pursuant to section 1 of P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3), respectively. The department shall distribute the list to the appropriate representative of a State veteran service entity in each county.

b. It shall be unlawful for any person to:

(1) have in the person's possession any canceled, fictitious, fraudulently altered, or fraudulently obtained driver's license or identification card with a Gold Star Family designation;

(2) lend a driver's license or identification card with a Gold Star Family designation to any other person or knowingly permit the use thereof by another;

(3) display or represent a driver's license or identification card with a Gold Star Family designation not issued to the person as being the person's card;

(4) permit any unlawful use of a driver's license or identification card with a Gold Star Family designation issued to the person;

(5) photograph, photostat, duplicate, or in any way reproduce a driver's license or identification card with a Gold Star Family designation, or facsimile thereof, in such a manner that it could be mistaken for a valid driver's license or identification card with a Gold Star Family designation, or to display or have in the person's

possession any such photograph, photostat, duplicate, reproduction, or facsimile; or

(6) alter a driver's license or identification card with a Gold Star Family designation in any manner.

c. A person who violates any provision of subsection b. of this section shall be liable to a civil penalty of $1,000. The civil penalty shall be collected pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.), in a summary proceeding before the municipal court having jurisdiction.

62. (New section) a. (1) Upon receipt of the notice from the United States Department of Defense of the death of a service member who resided in this State and whose surviving beneficiary resides in this State, the Department of Veterans Affairs shall notify, no later than ten working days, the appropriate county veterans' affairs office, or county designee, and the appropriate State veterans' service office. The State office shall provide the surviving beneficiary of a deceased service member with a comprehensive packet containing information on all federal and State benefits for which the surviving beneficiary may be eligible. The department shall develop the packet and provide all State veterans service offices with a supply of packets for distribution.

This section shall also apply when a deceased service member is not a resident of this State, but whose surviving beneficiary is a resident of this State, if that information is known.

(2) Every county veterans' affairs office shall have a designated Gold Star family member liaison. The liaison may be a volunteer or a Gold Star family member. The liaison shall, in conjunction with the State veterans' service offices, assist Gold Star families to access the services they are entitled to by providing information on State benefits, Gold Star family organizations, and such other resources deemed necessary and beneficial to a Gold Star family member.

b. For the purpose of this section:

"Child" means the individual who is a son or daughter by birth or adoption.

"Deceased service member" means any member of the Armed Forces of the United States a Reserve Component thereof, or a member of the National Guard who dies as a result of enemy action, accident, or disease while on federal active duty, including active duty for training.

"Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States.

"Parent" means the individual who is a father or mother by birth or adoption.

"Spouse" means the individual to whom the deceased service member was legally married at the time of the member's death.

"Surviving beneficiary" means the spouse, child, or parent of a deceased service member who resides in this State.

63. (New section) a. There is hereby established in the Department of Veterans Affairs the New Jersey Commission on Veterans Benefits, consisting of 13 members as follows:

(1) the Commissioner of the Department of Veterans Affairs, or their designee, who shall serve as chairperson;

(2) the Commissioner of the Department of Human Services, or a designee;

(3) the Commissioner of the Department of Health, or a designee;

(4) the Commissioner of the Department of Community Affairs, or a designee;

(5) the Commissioner of the Department of Education, or a designee;

(6) the Commissioner of the Department of Labor and Workforce Development, or a designee;

(7) the Secretary of State, or a designee;

(8) the Attorney General, or a designee; and

(9) five public members who are residents of this State and who are veterans, as defined under section 3 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), one to be appointed by the Governor, and four to be appointed one each by the President of the Senate, the Senate Minority Leader, the Speaker of the General Assembly, and the Assembly Minority Leader. At least two of the five public members shall be women veterans.

The public members of the commission shall serve for terms of three years and until the appointment and qualification of their successors, except that of the initial appointment of public members, three shall be appointed for a term of three years, and two shall be appointed for a term of two years. Any vacancy in the membership of the commission shall be filled in the same manner as the original appointments are made.

b. The commission shall organize as soon as practicable after the appointment of a majority of its members and shall select from among its members a chairperson. The members shall select a secretary, who need not be a member of the commission. Thereafter, the commission shall meet quarterly and at the call of the chairperson. A meeting of the commission may also be called upon at the request of seven of the commission members, and seven members of the commission shall constitute a quorum at any meeting thereof. The commission may conduct public hearings at such places and at such times as it shall designate, at which it may solicit the testimony of interested persons, groups, and the general public.

c. The commission shall be entitled to call to its assistance and avail itself of the services of employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes. The Department of Veterans Affairs shall provide such organizational and personnel support as the commission may request. All departments and agencies of the State shall furnish such advice and information, documentation, and assistance to the commission as is deemed necessary or desirable by the commission to facilitate its purposes.

d. The members of the commission shall serve without compensation, but the public members may be reimbursed for necessary and reasonable expenses incurred in the performance of their duties within the limits of funds appropriated or otherwise made available to it for its purposes.

64. (New section) a. It shall be the duty of the New Jersey Commission on Veterans Benefits to develop, maintain, and annually update a five-year Statewide veterans' benefits strategic plan that includes goals and measurable outcomes to ensure that all State departments and agencies are effectively delivering comprehensive services and support for veterans and their families in this State.

b. In developing and updating the strategic plan, the commission shall conduct an analysis to identify the various programs and benefits provided by the State to the veteran population, and to evaluate those programs to assess their status and effectiveness. Areas of analysis shall include, but need not be limited to, each existing program's status, successes, and challenges in addressing the veteran population's: (1) access to benefits; (2) educational, job skills, employment, and business opportunities; (3) physical and behavioral health and long-term healthcare options; (4) criminal justice issues; (5) housing opportunities and homelessness; and (6) special needs as determined by the commission. The strategic plan shall be based upon comprehensive data gained through open and transparent engagement with State departments and agencies and veterans' stakeholders.

c. The commission shall develop recommendations to be submitted to the Governor and the Legislature to address any deficiencies in the provision of benefits and services to veterans in this State. The recommendations shall specifically address whether the existing State programs, services, and resources are adequate to meet the veteran population's existing needs; are being used to fulfill objectives in a manner that complements and leverages State, federal, and private resources; and how they may more effectively deliver veteran services to all current and future veterans in the State of New Jersey.

d. The commission shall prepare and submit an initial five-year strategic plan to the Governor, and to the Legislature pursuant to

section 2 of P.L.1991, c.164 (C.52:14-19.1). Thereafter, the commission shall prepare and submit annual reports to the Governor and the Legislature containing its findings, activities, and recommendations, including any recommendations for administrative and legislative action that it deems appropriate.

65. (New section) a. All former service members of the Armed Forces who were separated from the service with a general or other than honorable discharge due solely to their sexual orientation, or gender identity or expression, may request that the Department of Veterans Affairs assist them to have the designation on the discharge changed and recorded as honorable.

b. The Department of Veterans Affairs shall:

(1) create, publish, and distribute material to all public agencies of the availability of the assistance; and

(2) create a consistent and uniform process to assist a former service member with the appropriate and necessary forms and conditions prescribed by federal law, so that service member may petition the United States Department of Veterans Affairs, or its successor agency, to change the designation on the discharge to honorable.

At no time shall a fee be charged to a former service member for seeking assistance to have the designation on the discharge changed to honorable.

c. A former service member who has the designation of discharge changed to honorable shall be afforded the same rights, privileges, and benefits authorized by State law to service members who were honorably discharged.

d. Information related to the change in the designation of a discharge, including, but not limited to, a request for assistance, shall be confidential and not accessible to the public as a government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.).

e. The commissioner shall, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt any rules and regulations as the commissioner deems necessary to carry out the provisions of this section.

66. (New section) The commissioner may procure and issue such service medals, ribbons, clasps, or similar devices as are authorized by the Legislature to be awarded to residents of the State of New Jersey, who served on active duty in time of war or emergency or who served as members of the American Merchant Marine during World War II, and are declared by the United States Department of Defense to be eligible for federal veterans' benefits.

67. (New section) a. The Governor may present in the name of the State of New Jersey a POW-MIA medal of appropriate design, and ribbon to be worn in lieu thereof, to:

(1) any person who, on the date of induction into the organized militia or federal military service, was a resident of this State and who, while serving in the organized militia or in federal military service on active duty in a combat theater of operation during time of war or emergency, shall have been officially listed as a prisoner of war or missing in action by the United States Department of Defense; or

(2) any person who, on the date of induction into the organized militia or federal military service, was not a resident of this State but currently resides in this State or was a resident at time of death and who, while serving in the organized militia or in federal military service on active duty in a combat theater of operation during time of war or emergency, shall have been officially listed as a prisoner of war or missing in action by the United States Department of Defense; and

(3) was taken prisoner and held captive or declared missing in action: (a) while engaged in an action against an enemy of the United States; (b) while engaged in military operations involving conflict with an opposing foreign force; or (c) while serving with friendly forces engaged in an armed conflict against an opposing force in which the United States is not a belligerent party.

b. The period of creditable military service must include the period of captivity from date of capture through date of release. While no minimum time period of captivity exists as eligibility criteria for the medal, the Department of Veterans Affairs should determine each case on its merits.

c. The medal shall be issued only to those taken prisoner by foreign armed forces that are hostile to the United States, under circumstances which the commissioner, or a designee, finds to have been comparable to those under which persons have generally been held captive by enemy armed forces during periods of armed conflict.

d. Any person convicted by a United States military tribunal of misconduct or a criminal charge or whose discharge is less than honorable based on actions while a POW-MIA is ineligible for the medal. Any POW-MIA whose conduct was not in accord with the Code of Conduct, and whose actions are documented by United States military records, is ineligible for the medal. Resolution of questionable cases shall be the responsibility of the commissioner or a designee.

e. No more than one medal shall be awarded. For subsequent acts justifying award of the medal, service stars shall be awarded and worn on the suspension and service ribbon of the medal. A period of captivity terminates on return to United States military control. Escapees who do not return to United States military control and are recaptured by an enemy do not begin a new period of captivity for subsequent award of the medal.

f. The medal may be awarded for a deceased person or a person absent as a prisoner of war or missing in action and, when so

directed, may be presented to such representatives, as the commissioner considers appropriate, who submit all of the required forms and documentation on behalf of that person.

Return of remains, in and of itself, does not constitute evidence of POW-MIA status.

g. The Department of Veterans Affairs shall receive requests for, and issue, the medal to eligible individuals or their next-of-kin, who shall use the “Department of Veterans Affairs application for award/program" application, attaching a copy of DD Form 214 or WD Form 53 and death certificate copy, if applicable.

h. There is created in the Department of the Treasury a special, non-lapsing fund to be known as the "POW-MIA Medal Fund." There shall be deposited into the fund the amounts made available for the purposes of the fund and monetary donations that may be received from any source for the purposes of the fund and any interest earned thereon. Monies deposited in the fund shall be dedicated for the design, manufacture, and distribution of the medal.

68. (New section) a. References in R.S.38:20-3 concerning educational grants for war orphans; section 2 of P.L.1999, c.276 (C.34:1B-176) concerning information for veterans on the assistance programs of the New Jersey Economic Development Authority; section 44 of P.L.2003, c.79 (C.27:23-47) concerning the maintenance of the Vietnam Veterans' Memorial; section 2 of P.L.1999, c.92 (C.54A:9-25.16) concerning the Korean Veterans' Memorial Fund; and section 3 of P.L.2003, c.105 (C.26:2H-94) concerning certain health care facilities, to the Adjutant General and the Department of Military and Veterans’ Affairs shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs and the Department of Veterans Affairs.

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

The Veterans' Services Council, established pursuant to P.L.1948, c.448 (C.13:1B-20 et seq.), together with all its functions, powers, and duties, is transferred to the Department of Veterans Affairs.

c. References in section 2 of P.L.1989, c.334 (C.18A:73-20.3) concerning collections by the New Jersey State Museum; section 1 of P.L.2001, c.302 (C.18A:7C-4.1) concerning the "Operation Recognition" program; section 16 of P.L.1974, c.30 (C.19:31-6.4) concerning voter registration forms; and section 1 of P.L.1999, c.120 (C.27:1A-5.16) concerning the Blue Star Memorial Highway Council to the Adjutant General and the Department of Military and Veterans’ Affairs shall be deemed to mean and refer to the Commissioner and the Department of Veterans Affairs.

d. Whenever any statute shall refer to veterans' matters in the Department of Veterans Services and Defense, the same shall mean and refer to the Department of Military and Veterans' Affairs. Whenever any statute refers to veterans' matters in the Department of Military and Veterans' Affairs, the same shall mean and refer to the Department of Veterans Affairs.

69. (New section) The transfers made by this act, P.L. , c. (C.)(pending before the Legislature as this bill), shall be made in accordance with the "State Agency Transfer Act," P.L.1971, c. 375 (C.52:14D-1 et seq.).

The programs developed within the Department of Military and Veterans' Affairs prior to the effective date of this act shall be continued and transferred to the Department of Veterans Affairs in accordance with, or as provided by, this act.

The councils and commissions, together with all their functions, powers, and duties, are continued and transferred from the Department of Military and Veterans' Affairs to the Department of Veterans Affairs in accordance with, and as provided by, this act. This act shall not affect the terms of office of the members of the councils and commissions serving on the effective date.

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

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

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

(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.1988, c.138, s.2)

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

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

(cf: P.L.1988, c.138, s.4)

72. Section 1 of P.L.1987, c.444 (C.38A:3-1.1) is amended to read as follows:

1. The Legislature finds and declares:

a. Since the establishment of this State more than 200 years ago, New Jersey's veterans have maintained their proud allegiance to the United States and have fought and died to preserve and protect our freedom and way of life;

b. Presently there are approximately 900,000 veterans with service in time of war or conflict residing in New Jersey, including

more than 10,000 World War I veterans, 406,000 World War II veterans, 202,000 veterans of the Korean conflict, 203,000 veterans of the Vietnam conflict, 30,000 women veterans, and veterans of the Lebanon and Grenada peacekeeping missions;

c. The Departments of Higher Education, Human Services, Labor, and Treasury provide special services and benefits to these veterans and their dependents;

d. The Department of Human Services, which is the principal government agency that serves this State's veterans, has done an especially commendable job attending to this special group of residents; and

e. **[**Yet while 23 states in the United States have a separate cabinet-level Department of Veterans' Affairs, New Jersey lacks an executive department which is concerned primarily with the needs and problems of veterans in this State; **]** (Deleted by amendment, P.L. , c.)(pending before the Legislature as this bill)

f. It is in the public interest to incorporate various services and programs which pertain specifically to veterans and their dependents into an executive department which can serve their needs more efficiently than is possible at present.

(cf: P.L.1987, c.444, s.1)

73. Section 33 of P.L.1988, c.138 (C.38A:3-1a) is amended to read as follows:

33. Whenever any statute shall refer to the Department of Defense or the Department of Veterans' Affairs and Defense, the same shall mean the Department of Military **[**and Veterans'**]** Affairs; except as provided in section 69 of P.L. , c. (C.)(now pending before the Legislature as this bill).

(cf: P.L.1988, c.138, s.33)

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

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

a. "Department"**]**, "department" means the Department of Military **[**and Veterans'**]** Affairs established pursuant to N.J.S.38A:3-1 et seq., as amended**[**;

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

(cf: P.L.1988, c.138, s.3)

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

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

(a) The Adjutant General;

(b) The deputy adjutant general;

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

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

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

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

(g) State headquarters for selective service; and

(h) The organized militia**[**;**]** .

(i) **[**The Administrator of Veterans' Affairs;**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(j) **[**The Director of the Division of Veterans' Administrative Services;**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(k) **[**The Director of the Division of Veterans' Loans, Grants and Services; and**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(l) **[**The Director of the Division of Veterans' Training, Information and Referrals.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(cf: P.L.1988, c.138, s.6)

76. Section 2 of P.L.2017, c.359 (C.38A:3-2k) is amended to read as follows:

2. There is hereby created in the Department of Military **[**and Veterans'**]** Affairs a Military and Defense Economic Ombudsman. The ombudsman shall be appointed by the Governor. The person appointed shall have expertise in the areas of defense, business, and governmental affairs, and shall have been a resident of this State for at least 36 consecutive months immediately preceding appointment. Once appointed, the ombudsman shall continue to maintain residency in New Jersey and shall serve at the pleasure of the Governor and shall report to the Adjutant General. The office of the Military and Defense Economic Ombudsman may request and shall avail itself and utilize the services of any officer or employee of the Department of Military **[**and Veterans'**]** Affairs and of any other State department or agency, who shall render such assistance as the head of the principal department or agency may require without additional compensation.

(cf: P.L.2017, c.359, s.2)

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

38A:3-3. The head of the Department of Military **[**and Veterans'**]** Affairs 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:

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

(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 officers having the qualifications to become federally-recognized as brigadier general of the line, New Jersey Army National Guard, or brigadier general, New Jersey Air National Guard.

(cf: P.L.1988, c.138, s.9)

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

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

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

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

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

(d) Command the organized militia of the State, with responsibility for recruiting, mobilization, administration, training, discipline, equipping, supply and general efficiency thereof. **[**He**]** The Adjutant General may issue such regulations and delegate such command functions as shall be deemed necessary. The regulations so issued shall, insofar as possible, conform to the federal laws and regulations concerning the same.

(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 Military **[**and Veterans'**]** Affairs.

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

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

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

(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.

(j) ⟦Exercise all of the functions, powers and duties heretofore vested in the Director of the Division on Veterans' Programs and Special Services.⟧ (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(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 applicable statutes, except as herein otherwise specifically provided.

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

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

(n) Organize the work of the department in divisions not inconsistent with the provisions of this act, P.L. , c. (pending before the Legislature as this bill) and in bureaus and other organizational units as the Adjutant General may determine to be necessary for efficient and effective operation.

(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 as may be authorized by law.

(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.

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

(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.

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

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

(u) ⟦Supervise and operate the New Jersey Veterans' Memorial Home-Menlo Park, the New Jersey Veterans' Memorial Home-Vineland, the New Jersey Veterans' Memorial Home-Paramus and

the New Jersey Veterans' Memorial Cemetery-Arneytown.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(v) **[**Supervise and operate the liaison office and the field offices which serve the federal Veterans' Affairs Medical Centers.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

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

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

(y) **[**Provide current information to the general public on State and federal veterans' programs and benefits; create a comprehensive public webpage for women veterans that includes, but is not limited to, the following information: veterans' legal rights, benefits, medical and insurance issues, education, the transition from active service to civilian life, and other resources available to veterans.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(z) **[**Develop and administer the New Jersey Homeless Veterans Grant Program established pursuant to section 3 of P.L.2013, c.239 (C.38A:3-6.2b).**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(aa) **[**Encourage and facilitate the registration of each service member residing in New Jersey with the United States Department of Veterans' Affairs, or its successor agency. Registration shall take place, as appropriate, when the service member returns from deployment on federal active duty or is discharged or as soon as possible thereafter. The term "service member" shall mean members of the New Jersey National Guard and members of the United States Armed Forces, or a Reserve component thereof, when the information on each member is made available to the department.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(bb) **[**Develop and coordinate a volunteer-based program comprised of former servicemembers to assist and mentor veterans who become involved with the criminal justice system, while criminal proceedings are pending and afterward, in accessing assistance to resolve the underlying problems that led or contributed to the veteran's involvement with the criminal justice system including, but not limited to, offering support and guidance, securing housing, employment linkages, job training, education, transportation, disability compensation claims, discharge status, health care and other linkages available at the local, State and federal level that can ease the challenge of reentry into civilian life. In addition, the Adjutant General shall develop a registry of volunteer mentors and make the registry available pursuant to

P.L.2017, c.42 (C.2C:43-23 et al.).**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(cc) **[**Prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(dd) **[**Create a comprehensive public webpage for Gold Star family members that includes, but is not limited to, the following information: State benefits; State and county liaisons; a list of service members from New Jersey killed in action; links to other Gold Star family organizations; and such other information and resources as the Adjutant General deems necessary and beneficial to a Gold Star family member. A "Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

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

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

79. Section 41 of P.L.1994, c.182 (C.38A:3-6.19) is amended to read as follows:

41. The Adjutant General of the Department of Military **[**and Veterans'**]** Affairs shall:

a. cause copies of the voter registration forms and instructions furnished under subsection f. of section 16 of P.L.1974, c.30 (C.19:31-6.4) to be displayed at each recruitment office of the New Jersey National Guard and to be made available to each person who, when appearing in person at such office to apply for enlistment in the Guard, may wish, on a voluntary basis, to register to vote;

b. provide for the continuous supply of the forms and instructions specified in subsection a. of this section to each such office; and

c. provide the forms and instructions specified in subsection a. of this section in both the English and Spanish languages to each recruitment office of the New Jersey National Guard which is located in any county in which bilingual sample ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965, c.29 (C.19:23-22.4).

(cf: P.L.1994, c.182, s.41)

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

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

(a) Officers and enlisted members who are ordered to active 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 this title.

(b) Classified civil service employees.

(c) Unclassified civil service employees, who may be relieved, suspended or discharged for good cause. Such personnel shall be administered as far as practicable under similar regulations as those applicable to classified civil service, but shall be subject to military discipline and control as the Commissioner deems appropriate, and shall include all personnel employed for the maintenance of armories.

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

(cf: P.L.1988, c.138, s.11)

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

38A:3-10. The [Adjutant General] Commissioner of the Department of Veterans Affairs may demand and receive, for the services herein enumerated, except for those in proof of pension[, establishment of veteran status,] and exemption from jury duty, or in lieu of lost discharges, the following fees:

(a) For every search made in his office for the military record of any member or former member of the armed forces, including any member of the American Merchant Marine during World War II who is declared by the United States Department of Defense to be eligible for federal veterans' benefits, the sum of $1.00.

(b) For the furnishing of every certified copy of such record, the sum of $2.00.

The [Adjutant General] Commissioner shall keep a true record and account of fees received under the provisions of this section and shall pay the same into the State Treasury in the manner prescribed by law.

(cf: P.L.1991, c.389, s.21)

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

38A:3-11. The Adjutant General shall have an appropriate seal and have affixed an impression of the same to all certificates of record issued from the Department of Military [and Veterans'] Affairs. Copies of any books, records, papers and documents, in the Department of Military [and Veterans'] Affairs certified by the Adjutant General or other designated officer of the department, under seal of the Department of Military [and Veterans'] Affairs

shall be admitted as evidence in any court of the State, either civil or military, with the same force and effect as if the original had been produced.
(cf: P.L.1988, c.138, s.12)

83. Section 2 of P.L.1992, c.86 (C.38A:3-16) is amended to read as follows:

2. The Council on Armed Forces and Veterans' Affairs established in the Department of Commerce and Economic Development pursuant to P.L.1983, c.61 (C.52:27H-45 et seq.) is hereby transferred to and established in the Department of Military **[**and Veterans'**]** Affairs. The council shall consist of 22 members: two to be appointed by the President of the Senate from the members thereof, no more than one of whom shall be from the same political party; two to be appointed by the Speaker of the General Assembly from the members thereof, no more than one of whom shall be from the same political party; the Adjutant General of the Department of Military **[**and Veterans'**]** Affairs, the Commissioner of the Department of Veterans Affairs, the Commissioner of the New Jersey Commerce Commission, the Commissioner of Education, the Commissioner of Environmental Protection, the Commissioner of Transportation, the State Treasurer, the Commissioner of Community Affairs, the Commissioner of Labor and Workforce Development, and the Chair of the New Jersey Commission on Higher Education, or their designees; and **[**nine**]** eight public members to be appointed by the Governor, with the advice and consent of the Senate. **[**Eight**]** Seven of the public members shall be representatives of the community and business support groups for New Jersey's military installations and the United States Coast Guard training center. Each public member shall serve for a term of three years from the date of the member's appointment and until the member's successor is appointed and qualified. Vacancies resulting from causes other than by expiration of term shall be filled for the unexpired term only and shall be filled in the same manner as the original appointments were made.
(cf: P.L.2007, c.253, s.22)

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

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

Department of Military [and Veterans'] Affairs.
(cf: P.L.1988, c.138, s.13)

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

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

There shall be appropriated to the State Department of Military [and Veterans'] Affairs from time to time, such sums as may be necessary to meet the State's share, or the entire cost of such construction, when included in any annual or supplemental appropriation act.
(cf: P.L.1988, c.138, s.16)

86. Section 2 of P.L.1968, c.278 (C.38A:13-9) is amended to read as follows:

2. The death benefit provided for in section 1 of [this act] P.L.1968, c.278 (C.38A:13-8) shall not be payable where there is a lump sum death benefit payable as a result of the deceased militiaman's membership in a public employees' pension system, or when the militiaman was detailed to the Department of Military [and Veterans'] Affairs in a permanent duty status and entitled to benefits out of Federal funds.
(cf: P.L.1988, c.138, s.19)

87. Section 2 of P.L.2013, c.238 (C.38:17-2.1) is amended to read as follows:

2. The county medical examiner, or a designee, shall be responsible for the positive identification of an unidentified indigent deceased person. The supervisor of veterans' interment or county medical examiner, as appropriate, shall contact the Department of [Military and Veterans'] Veterans Affairs upon receipt of an unclaimed indigent deceased person to ascertain the veteran status of the person. The supervisor of veterans' interment or county medical examiner, as appropriate, shall be notified upon determination of the veteran status of the person. If the person was a veteran discharged under conditions other than dishonorable, the supervisor of veterans' interment or county medical examiner, as appropriate, shall cause burial or cremation to occur within 72 hours of notification of veteran status.

For the purposes of this section:

"Indigent" shall mean a person who has an income that is below 200 percent of the federal poverty level; and

"Poverty level" shall mean the official poverty level based on family size established and adjusted under Section 673(2) of

Subtitle B. of the federal "Community Services Block Grant Act," Pub.L.97-35 (42 U.S.C. s.9902(2)).
(cf: P.L.2023, c.17, s.2)

88. R.S.38:18-3 is amended to read as follows:

38:18-3. Evidence of the service and disability mentioned in R.S.38:18-1 shall be furnished to the **[**Division of Veterans Services of the**]** Department of **[**Military and Veterans'**]** Veterans Affairs, which shall examine the same and upon being satisfied that the service was performed and the soldier has been rendered totally blind as a result thereof, shall so certify to the Director of the Division of Budget and Accounting who shall, upon receipt thereof, draw a warrant on the State Treasurer in favor of the applicant in a bulk sum for any accrued payments and in the sum of $1,800 annually, which the State Treasurer shall pay out of the money appropriated therefor by the Legislature.
(cf: P.L.2022, c.105, s.2)

89. R.S.38:20-3 is amended to read as follows:

38:20-3. Application for such benefits shall be made to the Department of **[**Military and Veterans'**]** Veterans Affairs, which shall make rules and regulations to effectuate the provisions thereof. It shall ascertain and approve the educational aptitude of the applicant for the course of study desired to be pursued in accordance with tests or standards prescribed or approved by the State Department of Education and the financial need of the applicant and may satisfy itself of the attendance of such applicants and the accuracy of the charges made by the institution which the applicant attends. No more than four annual allotments of $500.00 each shall be allowed any such applicant.
(cf: P.L.1991, c.39, s.1)

90. Section 1 of P.L.1974, c.55 (C.52:14-15.107) is amended to read as follows:

1. Notwithstanding the provisions of the annual appropriations act and section 7 of P.L.1974, c.55 (C.52:14-15.110), the annual salary for each of the following officers shall be $210,000 in calendar year 2024 and thereafter:

Title
Agriculture Department
Secretary of Agriculture
Children and Families Department
Commissioner of Children and Families
Community Affairs Department
Commissioner of Community Affairs
Corrections Department
Commissioner of Corrections
Education Department
Commissioner of Education

Environmental Protection Department
Commissioner of Environmental Protection
Health Department
Commissioner of Health
Human Services Department
Commissioner of Human Services
Banking and Insurance Department
Commissioner of Banking and Insurance
Labor and Workforce Development Department
Commissioner of Labor and Workforce Development
Chairperson of the Civil Service Commission
Law and Public Safety Department
Attorney General
Colonel and Superintendent, State Police
Director of the Office of Homeland Security and Preparedness
Military [and Veterans'] Affairs Department
Adjutant General
State Department
Secretary of State
Secretary of Higher Education
Transportation Department
Commissioner of Transportation
Chief Administrator, New Jersey Motor Vehicle Commission
Treasury Department
State Treasurer
State Comptroller
Chief Technology Officer
Veterans Affairs Department
Commissioner of Veterans Affairs
Members, Board of Public Utilities
(cf: P.L. 2023, c.349, s.5)

91. Sections 11, 13 through 16, and 29 through 37 of P.L.1987, c.444 (C.38A:3-4.1, 38A:3-12 through 38A:3-15, 38A:3-2a through 38A:3-2i);
section 2 of P.L.1973, c.284 (C.38A:3-2.2);
section 2 of P.L.1989, c.135 (C.38A:3-2b1);
sections 1 and 2 of P.L.1993, c.281 (C.38A:3-2b2 and 38A:3-2b3);
section 14 of P.L.1991, c.273 (C.38A:3-2d1);
sections 1 of P.L.2021, c.215 (C.38A:3-2b2.1);
sections 1 of P.L.2021, c.216 (C.38A:3-2b2.2);
sections 1 of P.L.2021, c.217 (C.38A:3-2b2.3);
section 1 of P.L.2000, c.127 (C.38A:3-6a);
sections 1 and 3 of P.L.2013, c.239 (C.38A:3-6.2a and 38A:3-6.2b);
sections 1 and 2 of P.L.2019, c.207 (38A:3-6.2c and 38A:3-6.2d)

sections 1 through 16 of P.L.1989, c.162 (C.38A:3-6.3 through 38A:3-6.18);

sections 3 through 17 of P.L.1999, c.46 (C.38A:3-23 through 38A:3-37); and

sections 5 and 6 of P.L.1996, c.150 (C.38A:3-6.4a and 38A:3-6.4b), are repealed.

92. This act shall take effect 120 days following enactment, except that such anticipatory administrative action may be taken in advance as shall be deemed necessary for the implementation of this act.

STATEMENT

This bill creates a new Department of Veterans Affairs as a principal department in the executive branch of State government. All divisions and programs concerning veterans now in the Department of Military and Veterans' Affairs are continued and transferred to the new Department of Veterans Affairs. The programs that do not concern veterans are continued in what will be referred to as the Department of Military Affairs. This bill does not create any new divisions or programs. All of the bill's provisions exist in current law and have been duplicated in this bill to provide for their recodification in a new Title 38B. Corresponding provisions of current law now codified in Title 38A are repealed.

New Jersey's veterans have maintained their proud allegiance to the United States and have fought and died to preserve and protect our freedom and way of life. The Department of Military and Veterans' Affairs, which is the current principal government agency that serves this State's veterans, has done an especially commendable job attending to this special group of residents. However, the department has significant priorities with regard to maintaining the strength and readiness of the National Guard and providing for homeland security. While many other states in the United States have a separate cabinet-level department for veterans affairs, New Jersey lacks an executive department which is concerned primarily with the needs and problems of veterans in this State. It is in the public interest to incorporate various services and programs which pertain specifically to veterans and their families and dependents into an executive agency which can serve their specific and special needs more efficiently than is possible at present.

[First Reprint]

SENATE, No. 4376

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED MARCH 24, 2025

Sponsored by:
Senator JOSEPH F. VITALE
District 19 (Middlesex)
Senator JOSEPH P. CRYAN
District 20 (Union)
Assemblywoman CLEOPATRA G. TUCKER
District 28 (Essex and Union)
Assemblyman ROBERT J. KARABINCHAK
District 18 (Middlesex)
Assemblywoman ANNETTE QUIJANO
District 20 (Union)

Co-Sponsored by:
Senators Johnson, Mukherji, Gopal, Stack, Greenstein, Zwicker, Diegnan, Lagana, Ruiz, McKnight, Burgess, Assemblywomen Reynolds-Jackson and Haider

SYNOPSIS

Establishes Department of Veterans Affairs.

CURRENT VERSION OF TEXT

As reported by the Senate Military and Veterans' Affairs Committee on June 19, 2025, with amendments.

(Sponsorship Updated As Of: 6/30/2025)

AN ACT establishing a new Department of Veterans Affairs in the Executive Branch of State government, creating a new Title 38B of the New Jersey Statutes, amending various parts of the statutory law, and repealing various statutes.

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

1. (New section) This act, P.L. , c. (C.)(pending before the Legislature as this bill), shall be known and may be cited as the "New Jersey Department of Veterans Affairs Act."

2. (New section) There is established in the Executive Branch of the State government a principal department which shall be known as the Department of Veterans Affairs.

3. (New section) As used in this act, P.L. , c. (C.)(pending before the Legislature as this bill):

"Commissioner" means the Commissioner of the Department of Veterans Affairs;

"Department" means the Department of Veterans Affairs established pursuant to this act; and

"Veteran" means any person who has served in any branch of the Armed Forces of the United States for at least 90 days, except that if the term "veteran" is defined differently in any other provision of this act, any other statute, or in any federal statute, that definition shall be applicable for the purposes of those statutes.

4. (New section) The administrator and head of the department shall be a commissioner, who shall be known as the Commissioner of the Department of Veterans Affairs, and who shall be an honorably discharged veteran qualified by training and experience to perform the duties of the office. The commissioner shall be appointed by the Governor with the advice and consent of the Senate and shall serve at the pleasure of the Governor during the Governor's term of office and until the appointment and qualification of the commissioner's successor. The entire time of the commissioner shall be devoted to the duties of the office and the commissioner shall receive such salary as shall be provided by law. Any vacancy occurring in the office of the commissioner shall be filled in the same manner as the original appointment.

5. (New section) The commissioner, as head of the department, shall have all of the functions, powers, and duties heretofore vested in the Administrator of Veterans Affairs of the Department of

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:
[1]Senate SMV committee amendments adopted June 19, 2025.

Military and Veterans' Affairs, previously designated in N.J.S.38A:3-2, and shall, in addition to the functions, powers, and duties vested in the commissioner by this act, P.L. , c. (C.)(pending before the Legislature as this bill), or by any other law, which are as follows:

a. Administer the work of the department;

b. Appoint and remove officers and other personnel employed within the department, subject to the provisions of Title 11A of the New Jersey Statutes and other applicable statutes, except as herein otherwise specifically provided;

c. Have authority to organize and maintain an administrative division and to assign to employment therein secretarial, clerical and other assistants in the department’s or the commissioner's office as the internal operations of the department may require, in accordance with Title 11A of the New Jersey Statutes;

d. Perform, exercise, and discharge the functions, powers, and duties of the department through such divisions as may be established by this act or otherwise by law;

e. 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 commissioner may determine to be necessary for efficient and effective operation;

f. 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 as may be necessary to implement this act or as may be authorized by law;

g. Formulate and adopt rules and regulations for the efficient conduct of the work and general administration of the department, its officers, and its employees;

h. Institute, or cause to be instituted, legal proceedings or processes as may be necessary to properly enforce and give effect to any of the commissioner's powers or duties;

i. Coordinate the activities of the department, and the other divisions and agencies therein, in a manner designed to eliminate overlapping and duplicative functions;

j. Integrate within the department, so far as practicable, all staff services of the department and of the other divisions and agencies therein;

k. Have access to all relevant files and records of other State agencies and require any officer or employee therein to provide information as necessary to assist in performing the functions of the department, subject to any privacy laws;

l. Maintain suitable headquarters for the department and such other quarters as the commissioner shall deem necessary to the proper functioning of the department;

m. Encourage and facilitate the registration of each service member residing in New Jersey with the United States Department of Veterans Affairs, or its successor agency. Registration shall take place, as appropriate, when the service member returns from

deployment on federal active duty, or is discharged, or as soon as possible thereafter. The term "service member" shall mean members of the New Jersey National Guard and members of the United States Armed Forces, or a Reserve component thereof, when the information on each member is made available to the department;

n. Develop and coordinate a volunteer-based program comprised of former service members to assist and mentor veterans who become involved with the criminal justice system, while criminal proceedings are pending and afterward, with accessing assistance to resolve the underlying problems that led or contributed to the veteran's involvement with the criminal justice system including, but not limited to, offering support and guidance, securing housing, employment linkages, job training, education, transportation, disability compensation claims, discharge status, health care, and other linkages available at the local, State, and federal level that can ease the challenge of reentry into civilian life. In addition, the commissioner shall develop a registry of volunteer mentors and make the registry available pursuant to P.L.2017, c.42 (C.2C:43-23 et al.);

o. Prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.);

p. Create a comprehensive public webpage for Gold Star family members that includes, but is not limited to, the following information: State benefits; State and county liaisons; a list of service members from New Jersey killed in action; links to other Gold Star family organizations; and such other information and resources as the commissioner deems necessary and beneficial to a Gold Star family member. A "Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States;

q. Maintain a regional network of Veteran Service Offices to assist veterans and their dependents with information and guidance in filing claims and to assist with employment, education, burial, counseling, housing, social and medical services, and other areas of concern to veterans and their families, as well as provide advice and support to veterans re-entering civilian life; and

r. Perform such other functions as may be prescribed in this act or by any other law.

6. (New section) The commissioner shall appoint at least one deputy commissioner who shall be designated to perform all of the powers, functions, and duties of the commissioner during the absence or disability of the commissioner, and who shall perform such other duties as are assigned by the commissioner. The deputy

commissioner shall be an honorably discharged veteran qualified by training and experience to perform the duties of the office.

7. (New section) The Department of Veterans Affairs, through its regional network of Veteran Service Offices, shall establish a financial planning assistance program for disabled veterans and their caregivers. The purpose of the program shall be to assist disabled veterans and their caregivers with planning for the financial burdens that may arise when a veteran is disabled and needs assistance with daily care and activities including, but not limited to, bathing, dressing, meal preparation, assistance with mobility, housekeeping, shopping, and driving or transportation.

"Caregiver" means a spouse, parent, child, relative or other person who is 18 years of age or older and who has the primary responsibility of providing daily care for the eligible veteran.

"Disabled veteran" means any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service in any branch of the Armed Forces of the United States, a Reserve component thereof, or the National Guard and who has been or shall be declared by the United States Department of Veterans Affairs, or its successor, to have a service-connected disability.

8. (New section) The commissioner may apply for and accept on behalf of the State any grants from the federal government or any agency thereof, or from any foundation, corporation, association, or individual, and may comply with the terms, conditions, and limitations thereof, for any purposes of the department. Any money so received may be expended by the department, subject to any limitations imposed in such grants, to effect any of the purposes of the department, as the case may be, upon warrant of the Director of the Division of Budget and Accounting in the Department of the Treasury on vouchers certified and approved by the commissioner. The power herein granted shall be in addition to, and shall in no way limit the authority granted to the commissioner by, this act, P.L. , c. (C.)(pending before the Legislature as this bill), or any other existing law.

9. (New section) The department shall administer the following principal functions:

a. The supervision and operation of State veterans' memorial homes and cemeteries;

b. The supervision and operation of the liaison office and the field offices which serve the federal Veterans' Affairs Medical Centers;

c. The application for federal grants and programs;

d. The administration of federally-funded training and rehabilitation programs; and

e. The provision of current information to the general public on State and federal veterans' programs and benefits.

Nothing in this section shall be construed as affecting or derogating from any provision of law giving functions, powers, and duties in these areas to other departments or agencies or as giving additional functions, powers, and duties to the commissioner or the department.

10. (New section) The Commissioner of the Department of Veterans Affairs shall determine whether any person seeking to be considered a "veteran" or a "disabled veteran" under N.J.S.11A:5-1, N.J.S.18A:66-2, section 6 of P.L.1954, c.84 (C.43:15A-6) or section 1 of P.L.1983, c.391 (C.43:16A-11.7), meets the criteria set forth therein and shall be considered a veteran or disabled veteran, as appropriate, for the purposes of these laws. The commissioner shall adjudicate an appeal from any person disputing the decision of the commissioner as to whether a person is to be considered a veteran or disabled veteran, as appropriate, for the purposes of these laws. The commissioner shall promptly notify the public entity responsible for administering each such law of the determination of the commissioner, and the determination shall be binding on such public entities.

[1][References in sections 4, 5, and 6 of P.L.2000, c.127 (C.18A:66-2.2, 43:15A-6.1, and 43:16A-11.7a) to the Adjutant General of the Department of Military and Veterans' Affairs shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs.]**[1]**

11. (New section) The personnel of the Department of Veterans Affairs shall consist of the following classes of employees:

a. Classified civil service employees.

b. Unclassified civil service employees, who may be relieved, suspended, or discharged for good cause. Such personnel shall be administered as far as practicable under similar regulations as those applicable to classified civil service.

12. (New section) a. The department shall submit its annual budget request directly to the Governor and the State Treasurer.

b. The commissioner may demand and receive, for the services of the department, except for establishment of veteran status, such fees as the commissioner shall determine. The commissioner shall keep a true record and account of fees received on behalf of the department pursuant to this section and shall pay the same into the State Treasury in the manner prescribed by law.

13. (New section) The commissioner shall have an appropriate seal and have affixed an impression of the same to all certificates of record issued from the Department of Veterans Affairs. Copies of any books, records, papers, and documents in the Department of Veterans Affairs certified by the commissioner or other designated

officer of the department, under seal of the Department of Veterans Affairs, shall be admitted as evidence in any court of the State, either civil or military, with the same force and effect as if the original had been produced.

14. (New section) The department, through its divisions, shall administer veteran:

a. administrative services;

b. loans, grants, and services; and

c. training, information, and referrals.

15. (New section) a. A director of a division in the department shall receive such salary as may be established by the commissioner with the approval of the Civil Service Commission and the Director of the Division of Budget and Accounting in the Department of the Treasury.

b. In the event that a director is appointed from persons holding positions in the career service of the State, the director shall retain, during tenure in such position, any rights or protections provided to that person by Title 11A, Civil Service, of the New Jersey Statutes or any pension law or retirement system.

16. (New section) The department, through its divisions, shall:

a. supervise and operate all New Jersey Veterans' Memorial Homes, including: the New Jersey Veterans' Memorial Home-Menlo Park; the New Jersey Veterans' Memorial Home-Vineland; and the New Jersey Veterans' Memorial Home-Paramus;

b. supervise and operate all New Jersey Veterans' Memorial Cemeteries, including the New Jersey Veterans' Memorial Cemetery in Arneytown; and

c. supervise and operate all veterans' homeless shelter facilities owned by the State, including Veterans Haven North and Veterans Haven South.

17. (New section) Any division established or created by the commissioner shall be under the immediate supervision of a director who shall be qualified by training and experience to direct the work of the division. Preference shall be given to honorably discharged veterans qualified by training and experience to perform the duties of the division. The director shall be appointed by the commissioner, and shall serve at the pleasure of the commissioner.

18. (New section) a. As a condition of employment as a direct care staff member at a New Jersey veterans' memorial home, an applicant for employment shall consent to and undergo drug testing for controlled dangerous substances as provided in subsection f. of this section. The drug testing shall be at the expense of the applicant.

If a person applying for employment at a New Jersey veterans memorial home on or after April 16, 2020 tests positive for the unlawful use of any controlled dangerous substance, or refuses to submit to drug testing, the person shall be removed from consideration for employment.

b. A person who is employed at a New Jersey veterans' memorial home as a direct care staff member shall be subject to random drug testing for controlled dangerous substances performed at such intervals as the commissioner deems appropriate. The commissioner shall annually perform random drug tests on 100 direct care staff members.

c. A person who is employed at a New Jersey veterans' memorial home as a direct care staff member may be required to undergo drug testing for controlled dangerous substances if the employee's immediate supervisor has reasonable suspicion to believe that the employee is illegally using a controlled dangerous substance, based on the employee's visible impairment or professional misconduct, which relates adversely to patient care or safety. The supervisor shall report this information to the immediate supervisor in a form and manner specified by the commissioner, and if the supervisor concurs that there is reasonable suspicion to believe that an employee is illegally using a controlled dangerous substance, that supervisor shall notify the chief executive officer of the New Jersey veterans' memorial home, or other executive level officer of the veterans' memorial home designated by the commissioner, and request approval in writing for ordering the employee to undergo drug testing. Drug testing of an employee shall not be ordered without the written approval of the chief executive officer or other executive level officer designated by the commissioner.

d. An employee who tests positive for the unlawful use of any controlled dangerous substance may be referred to employee advisory services, or terminated from employment, as applicable, based on the employee's job title. An employee who refuses to submit to drug testing shall be terminated from employment. In all cases, however, the employee shall retain any available right of review by the Civil Service Commission.

e. The drug testing required pursuant to subsections b. and c. of this section shall be at the expense of the Department of Veterans Affairs.

f. Drug testing shall be performed by an outside drug testing facility in a manner prescribed by the commissioner.

g. The commissioner shall notify all affected employees of New Jersey veterans' memorial homes of the provisions of this section.

h. As used in this section, "direct care staff member" means a: Human Services Technician; Human Services Assistant; physician; psychiatrist; dentist; psychologist; nurse; nurse assistant; physical, occupational, or speech therapist; social worker; and any other staff

member employed by a veterans memorial home who provides direct care to a resident at the facility, as determined by the commissioner.

i. Pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the commissioner shall adopt rules and regulations necessary to effectuate the purposes of this section, including, but not limited to, those rules and regulations necessary to ensure the confidentiality of the person undergoing drug testing, and that drug test results are not reported to law enforcement authorities.

19. (New section) The department shall establish a program to oversee the transfer of the remains of veterans from paupers' or potters' cemeteries to the Brigadier General William C. Doyle Veterans' Memorial Cemetery at the request of the veterans' next-of-kin, friends, or fellow veterans. This service shall be provided without cost to the requester. As part of this program, the department shall also inform the general public that this service is available and explain the procedure for requesting that the remains be transferred to the Brigadier General William C. Doyle Veterans' Memorial Cemetery.

20. (New section) a. A funeral director, licensed pursuant to P.L.1952, c.340 (C.45:7-32 et seq.), shall grant a qualified veterans' organization, as defined in subsection b. of section 2 of P.L.1983, c.385 (C.26:7-18.2), the right to receive the cremains of a veteran, or the cremains of an eligible spouse or eligible dependent of a veteran, which have not been claimed by a relative or friend of the deceased within one year after cremation upon certification, to the satisfaction of the Commissioner of Health, that a diligent effort, as defined in subsection a. of section 2 of P.L.1983, c.385 (C.26:7-18.2), has been made to identify, locate, and notify a relative or friend of the deceased within that one-year period, as provided under section 2 of P.L.1983, c.385 (C.26:7-18.2).

A qualified veterans' organization which takes possession of cremains pursuant to this section shall dispose of the cremains by scattering them at sea or by interring them on land in a dignified manner at the State-operated Brigadier General William C. Doyle Veterans' Memorial Cemetery, a State-operated veterans' memorial cemetery, a national veterans' memorial cemetery, or a local veterans memorial cemetery, if the individual is eligible for interment at those facilities.

b. A funeral home or mortuary, or an agent of the funeral home or mortuary, a funeral director, or a qualified veterans' organization shall not be liable for damages in any civil action arising out of the disposal of cremains pursuant to this section unless the damages are the result of gross negligence or willful misconduct.

21. (New section) The department, through its divisions, shall:

a. administer the Blind Veterans' Allowance Program established pursuant to R.S.38:18-1 et seq.;

b. administer the Paraplegic and Hemiplegic Allowance Program established pursuant to P.L.1947, c.263 (C.38:18A-1 et seq.);

c. maintain a continuous liaison with the Association of Blind Veterans and other similar State and national veterans' associations and organizations;

d. provide all necessary assistance to the Agent Orange Commission upon request;

e. administer the veterans' loan authority established pursuant to P.L.1944, c.126 (C.38:23B-1 et seq.);

f. supervise and operate the liaison and field offices which serve the federal Veterans' Administration Centers at Lyons and East Orange;

g. compete for all grants, private and federal, that would fund programs to benefit the State's veterans and their dependents; and

h. administer State tuition assistance programs for veterans and their dependents established pursuant to the provisions of chapter 71 of Title 18A of the New Jersey Statutes.

22. (New section) The department, through its divisions, shall:

a. administer the operations of the Vietnam Veterans' Outreach Program;

b. administer all federal and State training and rehabilitation programs not administered by other State departments;

c. provide current information to the general public on federal and State veterans' programs and benefits; and

d. provide a continuous liaison between the department, the Department of Education, and the Office of the Secretary of Higher Education to insure that veterans or their dependents seeking to apply for educational programs for veterans or their dependents are referred to the appropriate State office and provided with the information, forms, and assistance necessary to apply for those programs.

23. (New section) a. As used in this section and sections 24 through 36, inclusive, of this act, P.L. , c. (C.)(pending before the Legislature as this bill):

"Advisory council" means the advisory council of a veterans' facility.

"Member" means a person admitted to and receiving care in a veterans' facility.

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

"Veterans' facility" means any home, institution, hospital, or part thereof, the admission to which is under the jurisdiction of the United States Department of Veterans Affairs.

b. Subject to the provisions of this section, the Commissioner of the Department of Veterans Affairs shall be authorized, directed, and empowered to take such actions, and to issue such reasonable rules and regulations, as may be necessary for carrying out the purposes of sections 24 through 36, inclusive, of this act, including specifically to:

(1) provide standards and procedures for the application and determination of eligibility for admission to veterans' facilities;

(2) establish standards and methods for designating the veterans' facility in which an eligible person shall receive care and treatment consistent with available services and individual needs and circumstances;

(3) establish standards of care, treatment, and discipline governing the relationships between the veterans' facilities and persons admitted thereto consistent with and subject to State and federal rules, regulations, and standards of care;

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

(5) negotiate and enter into agreements or contracts with the Veterans Administration or any other appropriate State or federal agency, and to organize the work of the veterans' facilities, giving due regard to the opinion of the advisory councils, in any manner consistent with law to comply with the reasonable requirements of such State and federal agencies, in order to secure the maximum financial assistance and services for carrying out the purposes of sections 24 through 36, inclusive, of this act.

24. (New section) All applications for admission to a veterans' facility shall be made to, and in the manner and form prescribed by, the commissioner. The applicant shall provide a statement that the applicant will accept placement in the facility designated by the commissioner and will abide by the rules, regulations, and discipline of the facility to which the applicant is admitted.

25. (New section) The following persons, if they are without sufficient financial ability to provide for their support and necessary care in the community, may be admitted to a veterans' facility:

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

b. The spouse of any person who has been admitted to a veterans' facility, provided that the spouse is not less than 50 years of age and has been married to such person for a period of not less than 10 years;

c. The surviving spouse of a person who died an honorable death while in the active military service of the United States, or who was a disabled veteran at the time of death, provided that the surviving spouse was the person's spouse at the time of the person's service or was married to the person not less than 10 years prior to the date of application and has not married since the person's death, and provided that the surviving spouse has been a resident of New Jersey for at least two years prior to the date of application; and

d. The parent of a person who was a resident of New Jersey at the time of entry into, and who died an honorable death in time of war or emergency while in, the active military service of the United States, provided that the parent has been a resident of New Jersey for at least two years prior to the date of application.

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

26. (New section) Any disabled veteran who is in distress may be admitted to a veterans' facility for a temporary period in accordance with the rules and regulations promulgated by the commissioner.

27. (New section) A person admitted to a veterans' facility shall be entitled to all of its benefits and be furnished with the clothing, subsistence, medical and surgical attendance necessary to promote the person’s health and welfare in accordance with the rules and regulations of the commissioner.

28. (New section) Any person may be removed from a veterans' facility on being restored the ability to promote the person’s own support and welfare in the community, for immorality, for fraud or willful misrepresentation, or for refusal to abide by the rules, regulations, and discipline of the veterans' facility.

29. (New section) The commissioner may from time to time request that the commissioner of the department overseeing psychiatric hospitals designate any State hospital for the care of the mentally ill, or a part thereof, as a treatment unit for veterans who require such care and who are eligible for admission to a veterans' facility. Upon making such designation, the commissioner of the appropriate department shall cause to be filed with the Commissioner of the Department of Veterans Affairs and the Secretary of State a certificate setting forth the fact thereof, a description of the precise treatment unit so designated, and its location.

30. (New section) Admission of a veteran to a treatment unit as designated pursuant to section 29 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), shall require:

a. a determination by the appropriate department that such veteran is mentally ill in accordance with the appropriate provisions of Title 30 of the Revised Statutes; and

b. a determination by the Commissioner of the Department of Veterans Affairs that such veteran is eligible for admission to a veterans' facility.

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

31. (New section) The commissioner shall be authorized and empowered to accept and receive funds from the United States Government or any agency thereof, and to accept and receive payments from all members, and their family, relatives, and friends towards the cost of care and treatment as provided in the rules and regulations pertaining thereto.

32. (New section) a. Except in the case of an emergency condition, the commissioner shall not implement a decision to close an existing veterans' facility or to privatize any services, functions, or units of an existing facility if the commissioner finds that the decision shall result in the abolition of 100 or more non-vacant, full-time positions in the career service at the existing facility or facilities affected by the decision, unless the commissioner has complied with the procedures set forth in this section.

b. The commissioner shall conduct at least one public hearing, which shall be held in the region in which the facility is located, or a central location designated by the commissioner if more than one facility is affected by the decision, to provide an opportunity for the public to submit testimony on the proposed closing or privatization. The hearing shall be conducted at least 45 days in advance of a facility closure, or at least 30 days prior to the issuance of a Request for Proposal. For a facility closure, the public hearing shall be held within 15 days of publication of a Notice of Intent to close a facility by the commissioner. The commissioner shall select a publicly convenient location for the hearing and shall give all persons the opportunity to testify in person or to submit written testimony.

c. The Notice of Intent to close a facility shall be mailed, telephoned, telegrammed, or hand delivered to at least two newspapers for publication, at least one of which shall be within the geographic boundaries of the county where the facility is located. Failure to comply with the requirements of this subsection shall not invalidate or delay any facility closure.

d. The commissioner shall prepare a report setting forth a fiscal impact analysis, policy rationale, and summary of the testimony received at any hearing held pursuant to this section. This report

shall be submitted to the chairman of the Joint Budget Oversight Committee within five days of the issuance of a Notice of Intent to Award or within 30 days following the last scheduled public hearing for a facility closure.

33. (New section) The commissioner shall conduct, or contract with another entity to conduct, a series of follow-up studies to assess the well-being of all former residents of State veterans' memorial homes who have made a transition into the community after the effective date of this act, P.L. , c. (C.)(pending before the Legislature as this bill), as a result of implementation of a plan to close a State veterans' memorial home, and also an assessment of the well-being of all former residents for each of the five years after the closure.

The commissioner shall compile the results of the follow-up studies conducted pursuant to this section and shall include this information in a series of reports that the commissioner shall submit to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1).

The report of a follow-up study on the well-being of all former residents of State veterans' memorial homes, who have made a transition into the community after the effective date of this act as a result of the implementation of a plan to close a State veterans' memorial home, shall be submitted one year after the beginning of implementation of the plan, and annually thereafter, until the veterans' memorial home has closed. In addition, for each of the five years after the closure of a home, a report of a follow-up study on the well-being of all former residents of the home shall be submitted.

Reports submitted pursuant to this section shall be made publicly available on the website of the Department of Veterans Affairs.

34. (New section) There are established in the Department of Veterans Affairs four advisory councils known as:

a. The New Jersey Veterans' Memorial Home Advisory Council-Menlo Park;

b. The New Jersey Veterans' Memorial Home Advisory Council-Vineland;

c. The New Jersey Veterans' Memorial Home Advisory Council-Paramus; and

d. The New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown.

Each advisory council shall consist of seven members, at least five of whom are veterans, to be appointed by the commissioner. The term of each council member, except for the initial members, shall be three years commencing on July 1 and ending on June 30 of the third year thereafter, and any vacancy shall be filled for the unexpired term only.

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

35. (New section) Subject to the provisions of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and under general policies established by the commissioner, the advisory councils of the veterans' facilities shall:

a. recommend standards and procedures for application and termination of eligibility for admission to veterans' facilities;

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 needs and circumstances;

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

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

36. (New section) Moneys, choses in action, and effects deposited by a member in trust with the veterans' facility and unclaimed at the death of the member, dying intestate, shall be deemed to be the property of the veterans' facility. Such property shall be held in trust for three years following the death of the depositor, with power to invest the funds and to use the income for the benefit of the members as the advisory council of the veterans' facility and the commissioner deem most advisable.

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

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

37. (New section) Subject to the provisions of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and under general policies established by the commissioner, the New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown shall:

a. recommend standards and procedures for application and determination of eligibility for interment in the veterans' cemetery; and

b. advise the commissioner regarding operating policies and procedures as they apply to veterans' family members, funeral directors, and the relationship of the veterans' cemetery with the other veterans' facilities.

38. (New section) In conjunction with the New Jersey Veterans' Memorial Home Advisory Council-Menlo Park, the New Jersey Veterans' Memorial Home Advisory Council-Vineland, the New Jersey Veterans' Memorial Home Advisory Council-Paramus, and the New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown, any reference in any law, contract, or document to the Adjutant General of the Department of Military and Veterans' Affairs or the department shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs or the Department of Veterans Affairs.

39. (New section) There is established by the department a program to assist an eligible family member of a veteran who is already in a New Jersey veterans' memorial home, or an eligible family member of a veteran who is about to enter such a home, in being appointed as guardian of the veteran. In the event that a family member of a veteran who is already in a New Jersey veterans' memorial home, or is about to enter such a home, is not willing or available to serve as guardian of that veteran, some other interested person closely associated with the veteran shall be eligible for assistance in being appointed as guardian under the program herein established. The assistance provided to a family member of a veteran or to some other interested and eligible person associated with a veteran shall be in the form of both technical and financial support.

The commissioner shall develop economic criteria for determining eligibility for financial assistance pursuant to the program established by this section.

40. (New section) The department shall ensure that each veterans' memorial home shall hold quarterly town hall meetings with all veterans' guardians appointed pursuant to section 39 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and persons otherwise having the veteran's power of attorney. The meetings may take place in-person or remotely using the Internet or other electronic means.

Whenever a public health emergency is declared by the Governor pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), each veteran's guardian appointed pursuant to section 39 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), or each person otherwise having the

veteran's power of attorney, shall be allowed to remove the veteran from the veterans' memorial home pursuant to procedures established under Department of Veterans Affairs rules and regulations, except the department shall allow for an initial extension of up to 30 days and one additional extension of up to 30 days. The resident veteran shall be required to continue to pay the care and maintenance fee while on temporary furlough to hold a bed. Regular operating procedures shall resume at the conclusion of the public health emergency.

The department shall ensure that each veterans' memorial home shall communicate updates to each veteran's guardian appointed pursuant to section 39 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and each person otherwise having the veteran's power of attorney, through a minimum of two communication means, which shall include regular mail, email, text message, and voice.

41. (New section) a. Notwithstanding the provisions of any law, rule, or regulation to the contrary, the Commissioner of the Department of Veterans Affairs shall transmit a weekly report on the status of the State veterans' memorial homes to the Commissioner of the Department of Health whenever a public health emergency, pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), has been declared by the Governor and is in effect. The weekly report shall include:

(1) the number of residents and staff in each veterans' home, including comparisons to previous reports;

(2) any significant health risks posed to the residents and staff in each veterans' home due to the public health emergency;

(3) any changes in operating procedures in each veterans' home due to the public health emergency; and

(4) the amount of personal protective equipment available to residents and staff at each veterans' home.

b. As used in this section:

(1) "veterans' home" means the New Jersey Veterans' Memorial Home - Menlo Park, the New Jersey Veterans' Memorial Home - Vineland, and the New Jersey Veterans' Memorial Home - Paramus.

(2) "personal protective equipment" means any items commonly used to protect an individual from bacterial or viral infections, including, but not limited to, disinfecting wipes, disposable gloves, disposable gowns, face shields, N95 face masks, surgical masks, or parts thereof.

42. (New section) a. The Department of Veterans Affairs shall establish a position to be known as a resident advocate at each State veterans' memorial home. The resident advocate shall have a direct reporting relationship to the director of the division that oversees the veterans’ memorial homes.

b. The resident advocate shall:

(1) act as a liaison between the State veterans' memorial home and each of the residents at the State veterans' memorial home;

(2) receive complaints from residents at the State veterans' memorial home; and

(3) respond to any concerns or grievances from the residents at the State veterans' memorial home and, if appropriate, submit concerns or grievances to the State Long-Term Care Ombudsman.

c. A resident advocate who receives an oral or written complaint from a resident at a State veterans' memorial home shall log the complaint from the resident on a written or electronic form. The division that oversees the veterans' memorial homes shall develop, publish, and distribute the written and electronic form to be used by the resident advocate. At a minimum, the written and electronic form shall contain spaces for:

(1) the name of the resident submitting the complaint;

(2) the nature of the complaint;

(3) whether the complaint is an emergency that requires an immediate response, a critical situation that requires a reasonably prompt response, or a noncritical situation that requires an appropriately timely response; and

(4) a plan of action for the complaint and an estimated time frame within which the action will be taken.

d. A resident advocate who fills out a form under subsection c. of this section shall provide one copy of the form to the resident submitting the complaint and one copy to the administrator of the State veterans' memorial home. The resident advocate shall also retain the advocate's copy for not less than one year after the complaint is resolved.

e. A State veterans' memorial home shall make every reasonable effort to make the resident advocate at that memorial home easily identifiable by posting the name and work hours of the resident advocate and shall make every reasonable effort to assure that the plan of action prepared by the resident advocate pursuant paragraph (4) of subsection c. of this section is carried out within the time frame set forth in the plan of action.

43. (New section) a. The department shall organize and administer a program of voluntary commitments by employers throughout the State to participate in a plan of veterans' preference in private employment and reemployment.

b. The plan of veterans' preference in private employment shall provide for the fixing of a quota of veterans by the commissioner for all participating employers, but may not require any employed worker to be discharged. The plan shall also provide for the classification of disabled veterans in occupations for which they would not be handicapped, and for first preference in such occupations for such disabled veterans.

c. In the organization and administration of the employment quota preference plan, the commissioner, through appropriate federal, State and local agencies, shall:

Enroll employers who voluntarily commit themselves to the plan and certify the right of such employers to approved forms of public recognition;

Register veterans desiring employment, according to their occupational experience and capacities;

Register labor unions which are willing to participate through appropriate adjustment of their membership and other requirements, and certify the right of such unions to approved forms of public recognition;

Receive requests for workers from all participating employers; and

Either refer qualified veterans, with preference to the disabled, in response to such requisitions or certify that veterans are not available.

44. (New section) The department shall review and approve or disapprove all policies and work programs of State departments, agencies, and instrumentalities relating to veterans' welfare, services, or activities. No such activity or work program shall be undertaken or continued after disapproval by the department without specific authorization from the Governor.

45. (New section) a. Any dependent of a prisoner of war or a person missing in action, upon being accepted to pursue a course of undergraduate study in any private institution of higher education in this State or in any public institution of higher education of this State as enumerated in N.J.S.18A:62-1, shall be allowed to obtain a bachelor's degree, or certificate of completion, for so long as he is eligible, free of tuition. Once a person qualifies as a dependent under this section, there shall be no situation such as the return of the parent or the reported death of the parent that will terminate the eligibility of the dependent to receive the benefits under this section.

b. As used in this section:

"Dependent" means any child born before, during, or after the period of time the child's parent was a prisoner of war or a person missing in action, or any child legally adopted or in the legal custody of the parent prior to, during, or after the time the parent was a prisoner of war or a person missing in action.

"Prisoner of war" and "person missing in action" means any person who was a resident of this State at the time he or she entered service in the United States Armed Forces, or whose official residence is within this State, and who, while serving in said United States Armed Forces, has been declared to be a prisoner of war, or to be a person missing in action as established by the Secretary of Defense after January 1, 1960.

46. (New section) a. As used in this section:

"Approved course of study" means any curriculum or any combination of unit courses or subjects pursued at an educational institution which is accepted for Veteran's Educational Assistance pursuant to federal law.

"Approved educational institution" means (1) any academic, professional, or vocational school operating within this State, or (2) any graduate level school operating within the United States, or (3) any academic, professional, or vocational school operating outside of this State; provided that the institution shall have made a prior written agreement to accept the tuition credit and reimbursement provided for in this section; provided, further, that no more than 20% of the eligible veterans under subparagraphs (2) and (3) of this paragraph shall attend an approved educational institution operating outside of this State. To qualify as an "approved educational institution" under this section, an institution shall have been approved for Veteran's Educational Assistance pursuant to federal law.

"Eligible veteran" means any veteran of the Armed Forces of the United States residing in New Jersey who is or was eligible for Veteran's Educational Assistance pursuant to federal law and who (1) was domiciled in New Jersey at the time of induction into the Armed Forces, or (2) has been domiciled in New Jersey for a period of not less than 12 consecutive months prior to the date of application, exclusive of any time spent on active duty.

b. For the purposes of this section:

An institutional trade or technical course offered at a nonaccredited school on a clock-hour basis involving shop practice as an integral part thereof shall be considered a full-time course when a minimum of 30 hours per week of attendance is required with no more than two and one-half hours of rest periods per week and no more than three hours of supervised study per week allowed;

An institutional course offered at a nonaccredited school on a clock-hour basis in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of 25 hours per week net of instruction, which may include customary intervals not to exceed 10 minutes between hours of instruction, is required and no more than three hours of supervised study per week is allowed;

An institutional trade or technical course offered at an accredited school on a clock-hour basis which leads to a standard trade or technical degree and involves shop practice as an integral part thereof shall be considered a full-time course when a minimum of 22 hours per week of attendance is required with no more than two and one-half hours of rest periods per week and no more than three hours of supervised study per week allowed;

An institutional course offered at an accredited school on a clock-hour basis which leads to a standard trade or technical degree in which theoretical or classroom instruction predominates shall be

considered a full-time course when a minimum of 18 hours per week of instruction, which may include customary intervals not to exceed 10 minutes between hours of instruction, is required and no more than two and one-half hours of supervised study is allowed;

An academic high school course requiring 16 units for a full course shall be considered a full-time course when a minimum of four units per year is required, with a unit defined to be not less than 120 60-minute hours or their equivalent of study in any subject in one academic year; and

An institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis shall be considered a full-time course when a minimum of 14 semester hours or the equivalent thereof, for which credit is granted toward a standard college degree, including those for which no credit is granted but which are required to be taken to correct an educational deficiency, is required, except that when the college or university certifies, upon the request of the department, that (1) full-time tuition is charged to all undergraduate students carrying a minimum of less than 14 semester hours or the equivalent thereof or (2) all undergraduate students carrying a minimum of less than 14 semester hours or the equivalent thereof are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by the college or university with the minimum number of semester hours shall be considered a full-time course. In the event the minimum number of semester hours is less than 12 semester hours or the equivalent thereof, less then 12 semester hours or the equivalent thereof shall be considered a full-time course.

Each eligible veteran may select an approved course of study at any approved educational institution selected by the veteran, which will accept and retain the veteran as a student or trainee in any field or branch of knowledge which the institution finds him or her qualified to undertake or pursue.

c. Any eligible veteran who desires tuition credit pursuant to this section, within eight years from the date of (a) separation from active duty or (b) March 3, 1976, whichever is later, shall submit an application to the Department of Veterans Affairs which shall be in a form and contain information as the department shall prescribe. The department shall approve the application unless it finds that the veteran is ineligible for or not entitled to tuition credit, or that the veteran's course of study is not approved pursuant to this section, or that the veteran has already been approved. The department shall notify the veteran and the veteran's selected educational institution of the approval of the application.

d. Each eligible veteran shall be entitled to tuition credit pursuant to this section in accordance with the following schedule:

(1) For a period of one semester, or the equivalent thereof in part-time tuition credit, in the case of educational institutions regularly operated on the semester system, for each three months or

fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during such period of time, the veteran shall be entitled to tuition credit pursuant to this section for a period of eight semesters, or the equivalent thereof in part-time tuition credit. The maximum credit hereunder shall be for a period of eight semesters; or

(2) For a period of one-quarter, or the equivalent thereof in part-time tuition credit, in the case of educational institutions regularly operated on the quarter system, for each two months or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during that period of time, the veteran shall be entitled to tuition credit pursuant to this section for a period of 12 quarters. The maximum credit hereunder shall be for a period of 12 quarters; or

(3) For a period of one and one-half months of any tuition period, or the equivalent thereof in part-time tuition credit, in the case of educational institutions not operated on the quarter or semester system, for each month or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during that period of time, the veteran shall be entitled to tuition credit pursuant to this section for 36 months of tuition credit, or the equivalent thereof in part-time tuition credit. The maximum credit hereunder shall be for a period of 36 months.

e. If an eligible veteran shall change the veteran's program of study from an educational institution regularly operated on the quarter or semester system, or otherwise, to an educational institution regularly operated on a different system, the remainder of the credit shall accordingly be redistributed by the department in such manner as to carry out the intent of this section.

f. Benefits hereunder shall be in the form of tuition credits limited by the lesser of full tuition or for:

(1) educational institutions regularly operated on the semester system, $200 per semester.

(2) educational institutions regularly operated on the quarter system, $100 per quarter.

(3) educational institutions not regularly operated on the semester or quarter system, $400 per full school year prorated on an equal basis as the Department of Veterans Affairs shall determine.

For veterans pursuing a program of part-time education, the tuition credit shall be in such amounts as the department shall determine. These veterans shall be eligible to receive awards during summer terms, provided that the total award during the period from September 1 to August 31 of any academic year does not exceed the amount of assistance a full-time student at the same institution would receive.

g. Reimbursement for tuition credit shall be made by the State Treasurer to the approved educational institution upon certification by the institution that the veteran is enrolled for the current period and upon certification by the Department of Veterans Affairs that the veteran is both eligible and entitled to tuition credit hereunder subject to the provisions of this section. Reimbursement for tuition credit shall be made out of funds accumulated from the State Lottery.

h. Any benefits granted to eligible veterans pursuant to this section shall not be considered income or an asset in determining financial need for any financial assistance for higher education provided pursuant to Title 18A of the New Jersey Statutes.

i. In the event that the amount appropriated in any fiscal year is insufficient to carry out in full the provisions of this section, the department shall apportion the amount among the eligible veterans applying for tuition credit in proportion to the amount each veteran would be allocated if the full amount were appropriated.

47. (New section) a. As used in this section:

"Vietnam veteran" means a resident of this State who:

(1) served in the Armed Forces of the United States in Southeast Asia in the Vietnam conflict and received a Vietnam Service Ribbon or an Armed Forces Expeditionary Medal;

(2) was honorably discharged or generally discharged under honorable conditions; and

(3) was domiciled in New Jersey on April 9, 1985, for a period of not less than two consecutive years, exclusive of any time spent on active duty.

b. A Vietnam veteran, upon being accepted to pursue a course of study for an initial undergraduate degree in a public institution of higher education of this State as enumerated in N.J.S.18A:62-1, shall be entitled to tuition assistance, while enrolled as a student in good standing at that college, in an amount up to the full tuition cost as determined by the Department of Veterans Affairs pursuant to this section.

c. A Vietnam veteran, upon being accepted to pursue a course of study for an initial undergraduate degree at an independent college or university located in the State, shall be entitled to tuition assistance, while enrolled as a student in good standing at that college or university, in an amount as determined by the Department of Veterans Affairs pursuant to this section, but in an amount not more than the tuition charged at Rutgers, The State University.

d. A tuition award shall not be granted pursuant to this section unless the Vietnam veteran has applied for all other available State or federal student financial aid.

e. Eligibility for this program shall be limited to a period of five years from April 9, 1985. A Vietnam veteran shall be eligible for a tuition award for four academic years, unless the veteran is enrolled

in an undergraduate program regularly requiring five academic years for completion, in which case the veteran shall be entitled to a tuition award for a fifth year.

48. (New section) The Department of Veterans Affairs shall provide a link on its website to the directory of public and independent institutions of higher education located on the website of the New Jersey Office of the Secretary of Higher Education. The link shall be placed on the page of the department's website that lists the education benefits available to veterans.

49. (New section) a. This section shall be known and may be cited as the "New Jersey Homeless Veterans Grant Program Law."

b. There is established in the Department of Veterans Affairs the "New Jersey Homeless Veterans Grant Program." The purpose of this program shall be to award grants to organizations that assist homeless veterans in this State from funds appropriated to the department from the "Homeless Veterans Grant Fund" established pursuant to section 4 of P.L.2013, c.239 (C.54A:9-25.33). The grants shall be allocated on a competitive basis, except grants allocated to public or private entities that provide legal services to homeless veterans and veterans at risk of homelessness shall be allocated pursuant to section 50 of P.L. , c. (C.)(pending before the Legislature as this bill). The Commissioner of the Department of Veterans Affairs shall develop criteria for the granting of awards. An organization that wishes to apply for a grant under this program shall submit an application to the commissioner. The application shall, at the minimum, include a description of how the organization will assist homeless veterans. The commissioner may adopt, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as may be necessary to effectuate the grant program.

50. (New section) a. This section shall be known and may be cited as the "Homeless Veterans Legal Services Law."

b. Subject to the availability of funds appropriated for this purpose, including but not limited to funding appropriated through section 49 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), the New Jersey Homeless Veterans Grant Program, the Commissioner of the Department of Veterans Affairs shall enter into agreements with public or private entities to fund a portion of the legal services specified in this section, that are provided by such entities to homeless veterans and veterans at risk of homelessness.

c. The commissioner shall ensure that, to the extent practicable, agreements established under this section are made with entities located in the northern, central, and southern regions of the State.

d. Legal services shall include legal services provided by public or private entities that address the needs of homeless veterans and veterans at risk of homelessness as follows:

(1) Legal services related to housing, including eviction defense, representation in landlord-tenant cases, and representation in foreclosure cases.

(2) Legal services related to family law, including assistance in court proceedings for child support, divorce, estate planning, and family reconciliation.

(3) Legal services related to income support, including assistance in obtaining public benefits.

(4) Legal services related to criminal defense, including defense in matters symptomatic of homelessness, such as outstanding warrants, fines, and driver's license revocation, to reduce recidivism and facilitate the overcoming of reentry obstacles in employment or housing.

(5) Such other legal services as the commissioner deems appropriate.

d. In developing and carrying out agreements under this section, the commissioner shall, to the extent practicable consult, with veterans service organizations, and coordinate appropriate outreach relationships with such organizations.

e. The commissioner may require entities that enter into agreements under this section to submit periodic reports on legal services provided to homeless veterans and veterans at risk of homelessness.

51. (New section) a. The Commissioner of the Department of Veterans Affairs shall provide county prosecutors with a registry of volunteer mentors developed pursuant to subsection (o) of section 5 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), to facilitate the assignment of mentors to eligible service members who have been admitted by the prosecutor into the Veterans Diversion Program established pursuant to P.L.2017, c.42 (C.2C:43-23 et al.). A copy of the registry shall also be provided to the Administrative Director of the Courts to facilitate the assignment of mentors to eligible service members who have been sentenced to a term of probation supervision. The registry of mentors shall be periodically updated by the Department of Veterans Affairs.

b. The Commissioner of the Department of Veterans Affairs shall also prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

52. (New section) a. There is created in the Department of Veterans Affairs, the Commission on Women Veterans. The commission shall work in collaboration with other State agencies and appropriate groups to study and review the needs, priorities, programs,

and policies relating to women veterans, including, but not limited to, housing, health care, job training, and outreach. The commission shall ensure that all service providers and citizens are aware of the needs and services available to women veterans and make recommendations for community education and training programs. The commission shall provide outreach in conjunction with the Department of Veterans Affairs and other organizations to educate and recruit prospective veterans.

b. The commission shall consist of 15 members who are New Jersey residents. The Governor shall appoint 12 members and, of the 12 appointed, nine shall be women. There shall be appointed one representative from each of the following branches of military service who may also be affiliated with an organization named below: the Army; the Air Force; the Coast Guard; the Marines; and the Navy. There shall also be appointed by the Governor, one representative from the Veterans of Foreign Wars, one representative from the American Legion, one representative from the Disabled American Veterans, one representative from the American Veterans, one representative from the New Jersey Army National Guard, one representative from the New Jersey Air National Guard, and one representative from the Military Order of the Purple Heart. The Commissioner of the Department of Veterans Affairs, the Commissioner of Labor and Workforce Development, and the Director of the Division on Women in the Department of Children and Families, or their respective designees, shall serve as ex-officio members.

c. The public members shall serve for terms of three years and until the appointment and qualification of their successors, except that of the initial appointment of public members, four shall be appointed for a term of three years, four shall be appointed for a term of two years, and four shall be appointed for a term of one year.

If any public member discontinues affiliation with the respective veterans' organization, the member shall immediately resign membership with the commission.

Any vacancy in the membership of the commission shall be filled in the same manner as the original appointments are made.

d. The members of the commission shall serve without compensation, but may be reimbursed for necessary and reasonable expenses incurred in the performance of their duties within the limits of funds appropriated or otherwise made available to the commission for its purposes.

e. The commission shall organize as soon as may be practicable after the appointment of a majority of its members and shall select from among its members a chairperson and a vice chairperson, who shall be responsible for the coordination of all activities of the commission. The members shall select a secretary, who need not be a member of the commission.

f. The commission shall meet at the call of the chairperson and hold hearings at such places as it shall designate. A meeting of the

commission may also be called upon the request of eight of the commission members, and eight members of the commission shall constitute a quorum at any meeting thereof. The commission shall meet not less than quarterly.

g. The commission may conduct public hearings at such places and at such times as it shall designate, at which it may solicit the testimony of interested persons, groups, and the general public.

h. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes. The Department of Veterans Affairs shall provide such organizational and personnel support as the commission may request.

i. The commission shall prepare and submit an initial report to the Governor, the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), and the [1]**[**Deputy**]**[1] Commissioner of the Department of Veterans Affairs.

j. The commission shall prepare and submit annual reports containing its findings, activities, and recommendations, including any recommendations for administrative and legislative action that it deems appropriate, to the Governor, the Legislature, and the Commissioner of the Department of Veterans Affairs.

The commission shall periodically advise the [1]**[**Deputy**]**[1] Commissioner of the Department of Veterans Affairs on its activities, findings, and recommendations.

53. (New section) a. The Department of Veterans Affairs shall create and maintain a registry of all organizations that provide services to military veterans. The registry shall be prominently displayed, and organized topically, on a public webpage of the department to provide a comprehensive listing of organizations with services addressing the needs of veterans. The department shall actively seek out organizations to include on the registry, and organizations may also voluntarily submit requests to be included on the registry.

The department shall conduct a review of any organization prior to the organization's inclusion on the registry, and the department may, in its discretion, refuse to include an organization on the registry or remove an organization from the registry if the department determines that the organization's services do not reflect the purpose of the registry. Inclusion on the registry shall not be construed to be an endorsement of an organization by the department or State.

b. As used in this section, "organizations that provide services to veterans" includes any organization, not for profit or otherwise, exclusively providing services to veterans or primarily providing services to veterans, or any organization that provides services to a variety of recipients including veterans.

54. (New section) a. There is created within the Department of Veterans Affairs two advisory councils to be known as Veterans Haven North Council and Veterans Haven South Council. The Veterans Haven North Council shall represent the northern facility and the Veterans Haven South Council shall represent the southern facility. The two councils shall have joint meetings no less than once each calendar year.

Each council shall consist of eight members, at least five of whom shall be veterans, and shall include no less than two women. A Deputy Commissioner of the Department of Veterans Affairs, or a designee, shall serve as a nonvoting ex-officio member on each council. Each member shall be appointed by the commissioner. The term of each council member shall be three years, except that, of the first appointments, two shall be for a term of one year, two for a term of two years, and three for a term of three years. At no time shall a member be allowed to serve more than two terms in the aggregate, or on both councils at the same time.

b. The members of each council shall nominate a chairperson by majority vote of the members, and four members shall constitute a majority. The chairperson of each council shall be its presiding officer and shall serve until a successor has been nominated by the council.

c. Any vacancy shall be filled for the unexpired term only. Members of the council shall be subject to removal by the commissioner at any time for good and sufficient cause.

d. The members of the council shall receive no compensation for their services, but shall be reimbursed for actual expenditures incurred in the performance of their duties within the limits of funds appropriated or otherwise made available for this purpose.

55. (New section) Under general policies established by the commissioner, each Veterans Haven council shall:

a. formulate comprehensive policies for the coordination of all services for the benefit of veterans housed at the Veterans Haven facilities;

b. consult with and advise the Deputy Commissioner of the Department of Veterans Affairs and the Director of Veterans' Services with respect to the work of each Veterans Haven facility;

c. recommend standards and procedures for application and termination of eligibility for admission to each Veterans Haven facility; and

d. recommend standards of care, treatment and discipline governing the relationship between each Veterans Haven facility and the persons admitted thereto.

56. (New section) The Department of Veterans Affairs shall establish a program to provide assistance to qualified veterans in in-patient and out-patient treatment programs with travel to attend medical counseling appointments for service-connected conditions approved and authorized by the United States Department of Veterans Affairs within this State.

The department shall:

a. develop, in cooperation with the New Jersey Transit Corporation and the United States Department of Veterans Affairs, a program to provide reimbursement, subject to available State or federal funding, to qualified veterans who spend their own funds to travel on public transportation to and from medical counseling appointments for service-connected conditions within the State using any motor bus or rail passenger service conducted by the corporation when the veteran is not otherwise eligible for payment for travel or reimbursement by means of any existing State or federal program;

b. develop, in cooperation with the United States Department of Veterans Affairs, a program to provide reimbursement to qualified veterans who spend their own funds to travel using private transportation to and from medical counseling appointments for service-connected conditions within the State by reimbursing on a per mile basis their operation of a privately-owned conveyance when that veteran is not otherwise eligible for payment for travel or reimbursement by means of any existing State or federal program, provided that the qualified veteran shall not use a for-hire private entity that charges for transportation unless such transportation is necessary for the qualified veteran due to a service-connected injury or disability for which the veteran has a certified rating provided by the United States Department of Veterans Affairs which prevents or hinders his or her ability to operate a privately-owned conveyance;

c. develop, in coordination with the United States Department of Veterans Affairs, a system for monitoring veterans who have applied for reimbursement;

d. notify the general public and eligible veterans that the program established by this section is available to qualified veterans; and

e. adopt such rules and regulations as may be necessary to effectuate the purposes of this section.

57. (New section) a. The Department of Veterans Affairs, in consultation with the Division of Travel and Tourism in the Department of State and the New Jersey Historical Commission, shall develop and maintain a website providing information detailing war battles fought and places of historic significance to the military or war efforts in New Jersey. The website shall: (1) specify the date and location, and describe the importance, of each battle that took place on lands within the State or in State waters; and (2) identify, and describe the importance of, locations within

the State or in State waters that are, or have been, significant to the military or war efforts, such as those locations used for military operations or training or those locations which house, berth, or preserve historic military equipment, vehicles, or vessels, including battleships, fighter planes, and tanks. The information on the website shall be available as a list and in an online tour format, and shall include, but need not be limited to, information pertaining to battles fought and places that are of historic significance to military actions or war efforts undertaken during the Revolutionary War, the War of 1812, the Mexican-American War, the Civil War, the Spanish-American War, World War I, World War II, the Korean War, and the Vietnam War.

b. The department shall be entitled to call to its assistance and avail itself of the services of the employees of any State, county, or municipal department, authority, board, bureau, commission, agency, or entity, or of Rutgers, The State University, or any other public institution of higher education in the State, as it may require and as may be available to it for the purpose of carrying out its duties under this act, P.L. , c.)(pending before the Legislature as this bill).

58. (New section) The Legislature finds and declares that:

a. Residents of New Jersey have answered the call to fight for our country many times as members of the United States military and as members of the New Jersey National Guard.

b. Throughout history, New Jersey residents have made the ultimate sacrifice for their country and have given their life for our freedom.

c. The family members left behind after the untimely deaths of these brave service members, known as Gold Star family members, are often left with emotional wounds who need the caring intervention of a mental health professional to grieve and learn to live with the new reality of their loved one's passing.

d. The United States Department of Veterans Affairs has taken the lead to provide mental health care to veterans and certain family members with the establishment of the Care Enough to Share program, which links mental health professionals with an opportunity to volunteer their time and talents to help the nation's veterans and certain family members by providing mental health counseling.

e. It is honorable and necessary that the State of New Jersey assist these Gold Star family members in their grief by establishing programs that can link mental health care professionals with the family members to provide the needed mental health care free of charge to the families.

59. (New section) As used in this section and section 60 of this act, P.L. , c. (C.)(pending before the Legislature as this bill):

"Gold Star family member" means an individual who is a New Jersey resident and is the surviving spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole blood or the half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States.

"Mental health care professional" means a person who provides mental health services and is licensed or otherwise authorized, pursuant to Title 45 of the Revised Statutes, to practice a health care profession that is regulated by one of the following: the State Board of Medical Examiners; the State Board of Psychological Examiners; the State Board of Social Work Examiners; the State Board of Marriage and Family Therapy Examiners; the Alcohol and Drug Counselor Committee; the Professional Counselor Examiners Committee; or the Certified Psychoanalysts Advisory Committee.

60. (New section) There is established in the Department of Veterans Affairs the "Gold Star Family Counseling Program." The purpose of this program is to link mental health care professionals with Gold Star family members to facilitate the provision of mental health counseling free of charge to Gold Star family members. The Commissioner of the Department of Veterans Affairs shall create and implement the "Gold Star Family Counseling Program" as follows:

a. The department shall recruit mental health care professionals to donate professional counseling hours to provide mental health counseling to Gold Star family members. The department may coordinate the recruitment efforts with the federal Department of Veterans Affairs.

b. The department shall coordinate with the federal Department of Veterans Affairs to maintain a list of mental health care professionals who are available to provide professional mental health counseling hours to Gold Star family members.

c. The department shall maintain and distribute the list of available mental health care professionals on a Statewide basis and shall distribute the list of available mental health care professionals to each county veteran service office for the distribution thereof.

d. The department shall create a system for monitoring and verifying the donated hours to facilitate the tax credit provided to mental health care professionals pursuant to section 6 of P.L.2017, c.174 (C.54A:4-16).

e. The department shall provide documentation annually to the mental health care professional for submission to the Department of the Treasury to verify the amount of tax credit the mental health care professional is eligible to request annually pursuant to section 6 of P.L.2017, c.174 (C.54A:4-16). The amount of annual tax credit shall be determined by the department as the sum of the hours of donated counseling provided to the Gold Star family member

multiplied by the documented compensation rate applied to these hours. To determine the compensation rate, the department shall use the calendar year TRICARE rate for the service provided in the geographic location in which the service is provided. The department shall limit the cumulative hours which are authorized for the annual tax credit to a minimum of 20 hours and a maximum of 40 hours per year, per professional.

f. All mental health care professionals volunteering for the "Gold Star Family Counseling Program" established pursuant to this section shall be immune from civil liability as provided in P.L.1991, c.270 (C.2A:62A-16 et seq.).

g. The department may apply for and accept on behalf of the State any grants from the federal government or any agency thereof, or from any foundation, corporation, association, or individual, except for education grants or federal funds for education grants, and may comply with the terms, conditions, and limitations thereof, to develop and implement the "Gold Star Family Counseling Program" established pursuant to this section. Any money so received may be expended by the department, subject to any limitations imposed in such grants, upon warrant of the Director of the Division of Budget and Accounting of the Department of the Treasury.

61. (New section) a. The department shall maintain a list of each person possessing a Gold Star Family license plate, issued pursuant to section 2 of P.L.2011, c.17 (C.39:3-27.142), and each person holding a driver's license or identification card with a Gold Star Family designation, issued pursuant to section 1 of P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3), respectively. The department shall distribute the list to the appropriate representative of a State veteran service entity in each county.

b. It shall be unlawful for any person to:

(1) have in the person's possession any canceled, fictitious, fraudulently altered, or fraudulently obtained driver's license or identification card with a Gold Star Family designation;

(2) lend a driver's license or identification card with a Gold Star Family designation to any other person or knowingly permit the use thereof by another;

(3) display or represent a driver's license or identification card with a Gold Star Family designation not issued to the person as being the person's card;

(4) permit any unlawful use of a driver's license or identification card with a Gold Star Family designation issued to the person;

(5) photograph, photostat, duplicate, or in any way reproduce a driver's license or identification card with a Gold Star Family designation, or facsimile thereof, in such a manner that it could be mistaken for a valid driver's license or identification card with a Gold Star Family designation, or to display or have in the person's

possession any such photograph, photostat, duplicate, reproduction, or facsimile; or

(6) alter a driver's license or identification card with a Gold Star Family designation in any manner.

c. A person who violates any provision of subsection b. of this section shall be liable to a civil penalty of $1,000. The civil penalty shall be collected pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.), in a summary proceeding before the municipal court having jurisdiction.

62. (New section) a. (1) Upon receipt of the notice from the United States Department of Defense of the death of a service member who resided in this State and whose surviving beneficiary resides in this State, the Department of Veterans Affairs shall notify, no later than ten working days, the appropriate county veterans' affairs office, or county designee, and the appropriate State veterans' service office. The State office shall provide the surviving beneficiary of a deceased service member with a comprehensive packet containing information on all federal and State benefits for which the surviving beneficiary may be eligible. The department shall develop the packet and provide all State veterans service offices with a supply of packets for distribution.

This section shall also apply when a deceased service member is not a resident of this State, but whose surviving beneficiary is a resident of this State, if that information is known.

(2) Every county veterans' affairs office shall have a designated Gold Star family member liaison. The liaison may be a volunteer or a Gold Star family member. The liaison shall, in conjunction with the State veterans' service offices, assist Gold Star families to access the services they are entitled to by providing information on State benefits, Gold Star family organizations, and such other resources deemed necessary and beneficial to a Gold Star family member.

b. For the purpose of this section:

"Child" means the individual who is a son or daughter by birth or adoption.

"Deceased service member" means any member of the Armed Forces of the United States a Reserve Component thereof, or a member of the National Guard who dies as a result of enemy action, accident, or disease while on federal active duty, including active duty for training.

"Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States.

"Parent" means the individual who is a father or mother by birth or adoption.

"Spouse" means the individual to whom the deceased service member was legally married at the time of the member's death.

"Surviving beneficiary" means the spouse, child, or parent of a deceased service member who resides in this State.

63. (New section) a. There is hereby established in the Department of Veterans Affairs the New Jersey Commission on Veterans Benefits, consisting of 13 members as follows:

(1) the Commissioner of the Department of Veterans Affairs, or their designee, who shall serve as chairperson;

(2) the Commissioner of the Department of Human Services, or a designee;

(3) the Commissioner of the Department of Health, or a designee;

(4) the Commissioner of the Department of Community Affairs, or a designee;

(5) the Commissioner of the Department of Education, or a designee;

(6) the Commissioner of the Department of Labor and Workforce Development, or a designee;

(7) the Secretary of State, or a designee;

(8) the Attorney General, or a designee; and

(9) five public members who are residents of this State and who are veterans, as defined under section 3 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), one to be appointed by the Governor, and four to be appointed one each by the President of the Senate, the Senate Minority Leader, the Speaker of the General Assembly, and the Assembly Minority Leader. At least two of the five public members shall be women veterans.

The public members of the commission shall serve for terms of three years and until the appointment and qualification of their successors, except that of the initial appointment of public members, three shall be appointed for a term of three years, and two shall be appointed for a term of two years. Any vacancy in the membership of the commission shall be filled in the same manner as the original appointments are made.

b. The commission shall organize as soon as practicable after the appointment of a majority of its members and shall select from among its members a chairperson. The members shall select a secretary, who need not be a member of the commission. Thereafter, the commission shall meet quarterly and at the call of the chairperson. A meeting of the commission may also be called upon at the request of seven of the commission members, and seven members of the commission shall constitute a quorum at any meeting thereof. The commission may conduct public hearings at such places and at such times as it shall designate, at which it may solicit the testimony of interested persons, groups, and the general public.

c. The commission shall be entitled to call to its assistance and avail itself of the services of employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes. The Department of Veterans Affairs shall provide such organizational and personnel support as the commission may request. All departments and agencies of the State shall furnish such advice and information, documentation, and assistance to the commission as is deemed necessary or desirable by the commission to facilitate its purposes.

d. The members of the commission shall serve without compensation, but the public members may be reimbursed for necessary and reasonable expenses incurred in the performance of their duties within the limits of funds appropriated or otherwise made available to it for its purposes.

64. (New section) a. It shall be the duty of the New Jersey Commission on Veterans Benefits to develop, maintain, and annually update a five-year Statewide veterans' benefits strategic plan that includes goals and measurable outcomes to ensure that all State departments and agencies are effectively delivering comprehensive services and support for veterans and their families in this State.

b. In developing and updating the strategic plan, the commission shall conduct an analysis to identify the various programs and benefits provided by the State to the veteran population, and to evaluate those programs to assess their status and effectiveness. Areas of analysis shall include, but need not be limited to, each existing program's status, successes, and challenges in addressing the veteran population's: (1) access to benefits; (2) educational, job skills, employment, and business opportunities; (3) physical and behavioral health and long-term healthcare options; (4) criminal justice issues; (5) housing opportunities and homelessness; and (6) special needs as determined by the commission. The strategic plan shall be based upon comprehensive data gained through open and transparent engagement with State departments and agencies and veterans' stakeholders.

c. The commission shall develop recommendations to be submitted to the Governor and the Legislature to address any deficiencies in the provision of benefits and services to veterans in this State. The recommendations shall specifically address whether the existing State programs, services, and resources are adequate to meet the veteran population's existing needs; are being used to fulfill objectives in a manner that complements and leverages State, federal, and private resources; and how they may more effectively deliver veteran services to all current and future veterans in the State of New Jersey.

d. The commission shall prepare and submit an initial five-year strategic plan to the Governor, and to the Legislature pursuant to

section 2 of P.L.1991, c.164 (C.52:14-19.1). Thereafter, the commission shall prepare and submit annual reports to the Governor and the Legislature containing its findings, activities, and recommendations, including any recommendations for administrative and legislative action that it deems appropriate.

65. (New section) a. All former service members of the Armed Forces who were separated from the service with a general or other than honorable discharge due solely to their sexual orientation, or gender identity or expression, may request that the Department of Veterans Affairs assist them to have the designation on the discharge changed and recorded as honorable.

b. The Department of Veterans Affairs shall:

(1) create, publish, and distribute material to all public agencies of the availability of the assistance; and

(2) create a consistent and uniform process to assist a former service member with the appropriate and necessary forms and conditions prescribed by federal law, so that service member may petition the United States Department of Veterans Affairs, or its successor agency, to change the designation on the discharge to honorable.

At no time shall a fee be charged to a former service member for seeking assistance to have the designation on the discharge changed to honorable.

c. A former service member who has the designation of discharge changed to honorable shall be afforded the same rights, privileges, and benefits authorized by State law to service members who were honorably discharged.

d. Information related to the change in the designation of a discharge, including, but not limited to, a request for assistance, shall be confidential and not accessible to the public as a government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.).

e. The commissioner shall, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt any rules and regulations as the commissioner deems necessary to carry out the provisions of this section.

66. (New section) The commissioner may procure and issue such service medals, ribbons, clasps, or similar devices as are authorized by the Legislature to be awarded to residents of the State of New Jersey, who served on active duty in time of war or emergency or who served as members of the American Merchant Marine during World War II, and are declared by the United States Department of Defense to be eligible for federal veterans' benefits.

67. (New section) a. The Governor may present in the name of the State of New Jersey a POW-MIA medal of appropriate design, and ribbon to be worn in lieu thereof, to:

(1) any person who, on the date of induction into the organized militia or federal military service, was a resident of this State and who, while serving in the organized militia or in federal military service on active duty in a combat theater of operation during time of war or emergency, shall have been officially listed as a prisoner of war or missing in action by the United States Department of Defense; or

(2) any person who, on the date of induction into the organized militia or federal military service, was not a resident of this State but currently resides in this State or was a resident at time of death and who, while serving in the organized militia or in federal military service on active duty in a combat theater of operation during time of war or emergency, shall have been officially listed as a prisoner of war or missing in action by the United States Department of Defense; and

(3) was taken prisoner and held captive or declared missing in action: (a) while engaged in an action against an enemy of the United States; (b) while engaged in military operations involving conflict with an opposing foreign force; or (c) while serving with friendly forces engaged in an armed conflict against an opposing force in which the United States is not a belligerent party.

b. The period of creditable military service must include the period of captivity from date of capture through date of release. While no minimum time period of captivity exists as eligibility criteria for the medal, the Department of Veterans Affairs should determine each case on its merits.

c. The medal shall be issued only to those taken prisoner by foreign armed forces that are hostile to the United States, under circumstances which the commissioner, or a designee, finds to have been comparable to those under which persons have generally been held captive by enemy armed forces during periods of armed conflict.

d. Any person convicted by a United States military tribunal of misconduct or a criminal charge or whose discharge is less than honorable based on actions while a POW-MIA is ineligible for the medal. Any POW-MIA whose conduct was not in accord with the Code of Conduct, and whose actions are documented by United States military records, is ineligible for the medal. Resolution of questionable cases shall be the responsibility of the commissioner or a designee.

e. No more than one medal shall be awarded. For subsequent acts justifying award of the medal, service stars shall be awarded and worn on the suspension and service ribbon of the medal. A period of captivity terminates on return to United States military control. Escapees who do not return to United States military control and are recaptured by an enemy do not begin a new period of captivity for subsequent award of the medal.

f. The medal may be awarded for a deceased person or a person absent as a prisoner of war or missing in action and, when so

directed, may be presented to such representatives, as the commissioner considers appropriate, who submit all of the required forms and documentation on behalf of that person.

Return of remains, in and of itself, does not constitute evidence of POW-MIA status.

g. The Department of Veterans Affairs shall receive requests for, and issue, the medal to eligible individuals or their next-of-kin, who shall use the “Department of Veterans Affairs application for award/program" application, attaching a copy of DD Form 214 or WD Form 53 and death certificate copy, if applicable.

h. There is created in the Department of the Treasury a special, non-lapsing fund to be known as the "POW-MIA Medal Fund." There shall be deposited into the fund the amounts made available for the purposes of the fund and monetary donations that may be received from any source for the purposes of the fund and any interest earned thereon. Monies deposited in the fund shall be dedicated for the design, manufacture, and distribution of the medal.

[1][68. (New section) a. References in R.S.38:20-3 concerning educational grants for war orphans; section 2 of P.L.1999, c.276 (C.34:1B-176) concerning information for veterans on the assistance programs of the New Jersey Economic Development Authority; section 44 of P.L.2003, c.79 (C.27:23-47) concerning the maintenance of the Vietnam Veterans' Memorial; section 2 of P.L.1999, c.92 (C.54A:9-25.16) concerning the Korean Veterans' Memorial Fund; and section 3 of P.L.2003, c.105 (C.26:2H-94) concerning certain health care facilities, to the Adjutant General and the Department of Military and Veterans’ Affairs shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs and the Department of Veterans Affairs.

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

The Veterans' Services Council, established pursuant to P.L.1948, c.448 (C.13:1B-20 et seq.), together with all its functions, powers, and duties, is transferred to the Department of Veterans Affairs.

c. References in section 2 of P.L.1989, c.334 (C.18A:73-20.3) concerning collections by the New Jersey State Museum; section 1 of P.L.2001, c.302 (C.18A:7C-4.1) concerning the "Operation Recognition" program; section 16 of P.L.1974, c.30 (C.19:31-6.4) concerning voter registration forms; and section 1 of P.L.1999, c.120 (C.27:1A-5.16) concerning the Blue Star Memorial Highway Council to the Adjutant General and the Department of Military and Veterans’ Affairs shall be deemed to mean and refer to the Commissioner and the Department of Veterans Affairs.

d. Whenever any statute shall refer to veterans' matters in the Department of Veterans Services and Defense, the same shall mean and refer to the Department of Military and Veterans' Affairs. Whenever any statute refers to veterans' matters in the Department of Military and Veterans' Affairs, the same shall mean and refer to the Department of Veterans Affairs.**]**[1]

[1]68. (New section) a. References in the following to the Adjutant General and the Department of Military and Veterans' Affairs shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs and the Department of Veterans Affairs:

R.S.38:20-3 concerning educational grants for war orphans;

section 2 of P.L.1999, c.276 (C.34:1B-176) concerning information for veterans on the assistance programs of the New Jersey Economic Development Authority;

section 44 of P.L.2003, c.79 (C.27:23-47) concerning the maintenance of the Vietnam Veterans' Memorial;

section 2 of P.L.1999, c.92 (C.54A:9-25.16) concerning the Korean Veterans' Memorial Fund;

section 3 of P.L.2003, c.105 (C.26:2H-94) concerning certain health care facilities;

section 2 of P.L.2005, c.59 (C.38A:3-2.5) concerning the World War II Memorial Commission;

P.L.1988, J.R. No. 20 concerning placards bearing the designation "Brigadier General William C. Doyle Veterans' Memorial Cemetery;"

section 2 of P.L.1989, c.334 (C.18A:73-20.3) concerning collections by the New Jersey State Museum;

section 1 of P.L.2001, c.302 (C.18A:7C-4.1) concerning the "Operation Recognition" program;

section 16 of P.L.1974, c.30 (C.19:31-6.4) concerning voter registration forms; and

section 1 of P.L.1999, c.120 (C.27:1A-5.16) concerning the Blue Star Memorial Highway Council.

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

The Veterans' Services Council, established pursuant to P.L.1948, c.448 (C.13:1B-20 et seq.), together with all its functions, powers, and duties, is transferred to the Department of Veterans Affairs.

c. References in section 4 of P.L.2001, c.246 (C.App.A:9-67) concerning the Domestic Security Preparedness Task Force and section 24 of P.L.2005, c.222 (C.26:13-24) concerning the State Public Health Emergency Claim Reimbursement Board to the Adjutant General of the Department of Military and Veterans' Affairs shall be deemed to mean and refer to the Adjutant General of the Department of Military Affairs.

d. Whenever any statute shall refer to veterans' matters in the Department of Veterans Services and Defense, the same shall mean and refer to the Department of Veterans Affairs.

e. Whenever, in any law, rule, regulation, order, contract, document, judicial or administrative proceeding or otherwise, reference is made to the to the Department of Military and Veterans' Affairs, the same shall mean and refer to the Department of Veterans Affairs.[1]

69. (New section) The transfers made by this act, P.L. , c. (C.)(pending before the Legislature as this bill), shall be made in accordance with the "State Agency Transfer Act," P.L.1971, c. 375 (C.52:14D-1 et seq.).

The programs developed within the Department of Military and Veterans' Affairs prior to the effective date of this act shall be continued and transferred to the Department of Veterans Affairs in accordance with, or as provided by, this act.

The councils and commissions, together with all their functions, powers, and duties, are continued and transferred from the Department of Military and Veterans' Affairs to the Department of Veterans Affairs in accordance with, and as provided by, this act. This act shall not affect the terms of office of the members of the councils and commissions serving on the effective date.

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

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

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

(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.1988, c.138, s.2)

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

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

(cf: P.L.1988, c.138, s.4)

72. Section 1 of P.L.1987, c.444 (C.38A:3-1.1) is amended to read as follows:

1. The Legislature finds and declares:

a. Since the establishment of this State more than 200 years ago, New Jersey's veterans have maintained their proud allegiance to the United States and have fought and died to preserve and protect our freedom and way of life;

b. Presently there are approximately 900,000 veterans with service in time of war or conflict residing in New Jersey, including more than 10,000 World War I veterans, 406,000 World War II

veterans, 202,000 veterans of the Korean conflict, 203,000 veterans of the Vietnam conflict, 30,000 women veterans, and veterans of the Lebanon and Grenada peacekeeping missions;

c. The Departments of Higher Education, Human Services, Labor, and Treasury provide special services and benefits to these veterans and their dependents;

d. The Department of Human Services, which is the principal government agency that serves this State's veterans, has done an especially commendable job attending to this special group of residents; and

e. **[**Yet while 23 states in the United States have a separate cabinet-level Department of Veterans' Affairs, New Jersey lacks an executive department which is concerned primarily with the needs and problems of veterans in this State; **]** (Deleted by amendment, P.L. , c.)(pending before the Legislature as this bill)

f. It is in the public interest to incorporate various services and programs which pertain specifically to veterans and their dependents into an executive department which can serve their needs more efficiently than is possible at present.

(cf: P.L.1987, c.444, s.1)

73. Section 33 of P.L.1988, c.138 (C.38A:3-1a) is amended to read as follows:

33. Whenever any statute shall refer to [1]military matters in[1] the Department of Defense or the Department of Veterans' Affairs and Defense, the same shall mean [1]and refer to[1] the Department of Military **[**and Veterans'**]** Affairs; except as provided in section 69 of P.L. , c. (C.)(pending before the Legislature as this bill).

(cf: P.L.1988, c.138, s.33)

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

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

a. "Department"**]**, "department" means the Department of Military **[**and Veterans'**]** Affairs established pursuant to N.J.S.38A:3-1 et seq., as amended**[**;

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

(cf: P.L.1988, c.138, s.3)

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

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

(a) The Adjutant General;

(b) The deputy adjutant general;

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

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

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

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

(g) State headquarters for selective service; and

(h) The organized militia**[**;**]** .

(i) **[**The Administrator of Veterans' Affairs;**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(j) **[**The Director of the Division of Veterans' Administrative Services;**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(k) **[**The Director of the Division of Veterans' Loans, Grants and Services; and**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(l) **[**The Director of the Division of Veterans' Training, Information and Referrals.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(cf: P.L.1988, c.138, s.6)

76. Section 2 of P.L.2017, c.359 (C.38A:3-2k) is amended to read as follows:

2. There is hereby created in the Department of Military **[**and Veterans'**]** Affairs a Military and Defense Economic Ombudsman. The ombudsman shall be appointed by the Governor. The person appointed shall have expertise in the areas of defense, business, and governmental affairs, and shall have been a resident of this State for at least 36 consecutive months immediately preceding appointment. Once appointed, the ombudsman shall continue to maintain residency in New Jersey and shall serve at the pleasure of the Governor and shall report to the Adjutant General. The office of the Military and Defense Economic Ombudsman may request and shall avail itself and utilize the services of any officer or employee of the Department of Military **[**and Veterans'**]** Affairs and of any other State department or agency, who shall render such assistance as the head of the principal department or agency may require without additional compensation.

(cf: P.L.2017, c.359, s.2)

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

38A:3-3. The head of the Department of Military **[**and Veterans'**]** Affairs 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:

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

(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 officers having the qualifications to become federally-recognized as brigadier general of the line, New Jersey Army National Guard, or brigadier general, New Jersey Air National Guard.

(cf: P.L.1988, c.138, s.9)

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

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

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

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

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

(d) Command the organized militia of the State, with responsibility for recruiting, mobilization, administration, training, discipline, equipping, supply and general efficiency thereof. **[**He**]** The Adjutant General may issue such regulations and delegate such command functions as shall be deemed necessary. The regulations so issued shall, insofar as possible, conform to the federal laws and regulations concerning the same.

(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 Military **[**and Veterans'**]** Affairs.

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

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

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

(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.

(j) **[**Exercise all of the functions, powers and duties heretofore vested in the Director of the Division on Veterans' Programs and Special Services.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(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 applicable statutes, except as herein otherwise specifically provided.

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

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

(n) Organize the work of the department in divisions not inconsistent with the provisions of this act, P.L. , c. (pending before the Legislature as this bill) and in bureaus and other organizational units as the Adjutant General may determine to be necessary for efficient and effective operation.

(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 as may be authorized by law.

(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.

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

(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.

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

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

(u) **[**Supervise and operate the New Jersey Veterans' Memorial Home-Menlo Park, the New Jersey Veterans' Memorial Home-Vineland, the New Jersey Veterans' Memorial Home-Paramus and

the New Jersey Veterans' Memorial Cemetery-Arneytown.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(v) **[**Supervise and operate the liaison office and the field offices which serve the federal Veterans' Affairs Medical Centers.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

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

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

(y) **[**Provide current information to the general public on State and federal veterans' programs and benefits; create a comprehensive public webpage for women veterans that includes, but is not limited to, the following information: veterans' legal rights, benefits, medical and insurance issues, education, the transition from active service to civilian life, and other resources available to veterans.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(z) **[**Develop and administer the New Jersey Homeless Veterans Grant Program established pursuant to section 3 of P.L.2013, c.239 (C.38A:3-6.2b).**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(aa) **[**Encourage and facilitate the registration of each service member residing in New Jersey with the United States Department of Veterans' Affairs, or its successor agency. Registration shall take place, as appropriate, when the service member returns from deployment on federal active duty or is discharged or as soon as possible thereafter. The term "service member" shall mean members of the New Jersey National Guard and members of the United States Armed Forces, or a Reserve component thereof, when the information on each member is made available to the department.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(bb) **[**Develop and coordinate a volunteer-based program comprised of former servicemembers to assist and mentor veterans who become involved with the criminal justice system, while criminal proceedings are pending and afterward, in accessing assistance to resolve the underlying problems that led or contributed to the veteran's involvement with the criminal justice system including, but not limited to, offering support and guidance, securing housing, employment linkages, job training, education, transportation, disability compensation claims, discharge status, health care and other linkages available at the local, State and federal level that can ease the challenge of reentry into civilian life. In addition, the Adjutant General shall develop a registry of volunteer mentors and make the registry available pursuant to

P.L.2017, c.42 (C.2C:43-23 et al.).**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(cc) **[**Prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(dd) **[**Create a comprehensive public webpage for Gold Star family members that includes, but is not limited to, the following information: State benefits; State and county liaisons; a list of service members from New Jersey killed in action; links to other Gold Star family organizations; and such other information and resources as the Adjutant General deems necessary and beneficial to a Gold Star family member. A "Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

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

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

79. Section 41 of P.L.1994, c.182 (C.38A:3-6.19) is amended to read as follows:

41. The Adjutant General of the Department of Military **[**and Veterans'**]** Affairs shall:

a. cause copies of the voter registration forms and instructions furnished under subsection f. of section 16 of P.L.1974, c.30 (C.19:31-6.4) to be displayed at each recruitment office of the New Jersey National Guard and to be made available to each person who, when appearing in person at such office to apply for enlistment in the Guard, may wish, on a voluntary basis, to register to vote;

b. provide for the continuous supply of the forms and instructions specified in subsection a. of this section to each such office; and

c. provide the forms and instructions specified in subsection a. of this section in both the English and Spanish languages to each recruitment office of the New Jersey National Guard which is located in any county in which bilingual sample ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965, c.29 (C.19:23-22.4).

(cf: P.L.1994, c.182, s.41)

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

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

(a) Officers and enlisted members who are ordered to active 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 this title.

(b) Classified civil service employees.

(c) Unclassified civil service employees, who may be relieved, suspended or discharged for good cause. Such personnel shall be administered as far as practicable under similar regulations as those applicable to classified civil service, but shall be subject to military discipline and control as the Commissioner deems appropriate, and shall include all personnel employed for the maintenance of armories.

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

(cf: P.L.1988, c.138, s.11)

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

38A:3-10. The [Adjutant General] Commissioner of the Department of Veterans Affairs may demand and receive, for the services herein enumerated, except for those in proof of pension[, establishment of veteran status,] and exemption from jury duty, or in lieu of lost discharges, the following fees:

(a) For every search made in his office for the military record of any member or former member of the armed forces, including any member of the American Merchant Marine during World War II who is declared by the United States Department of Defense to be eligible for federal veterans' benefits, the sum of $1.00.

(b) For the furnishing of every certified copy of such record, the sum of $2.00.

The [Adjutant General] Commissioner shall keep a true record and account of fees received under the provisions of this section and shall pay the same into the State Treasury in the manner prescribed by law.

(cf: P.L.1991, c.389, s.21)

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

38A:3-11. The Adjutant General shall have an appropriate seal and have affixed an impression of the same to all certificates of record issued from the Department of Military [and Veterans'] Affairs. Copies of any books, records, papers and documents, in the Department of Military [and Veterans'] Affairs certified by the Adjutant General or other designated officer of the department, under seal of the Department of Military [and Veterans'] Affairs

shall be admitted as evidence in any court of the State, either civil or military, with the same force and effect as if the original had been produced.
(cf: P.L.1988, c.138, s.12)

83. Section 2 of P.L.1992, c.86 (C.38A:3-16) is amended to read as follows:

2. The Council on Armed Forces and Veterans' Affairs established in the Department of Commerce and Economic Development pursuant to P.L.1983, c.61 (C.52:27H-45 et seq.) is hereby transferred to and established in the Department of Military **[**and Veterans'**]** Affairs. The council shall consist of 22 members: two to be appointed by the President of the Senate from the members thereof, no more than one of whom shall be from the same political party; two to be appointed by the Speaker of the General Assembly from the members thereof, no more than one of whom shall be from the same political party; the Adjutant General of the Department of Military **[**and Veterans'**]** Affairs, the Commissioner of the Department of Veterans Affairs, the Commissioner of the New Jersey Commerce Commission, the Commissioner of Education, the Commissioner of Environmental Protection, the Commissioner of Transportation, the State Treasurer, the Commissioner of Community Affairs, the Commissioner of Labor and Workforce Development, and the Chair of the New Jersey Commission on Higher Education, or their designees; and **[**nine**]** eight public members to be appointed by the Governor, with the advice and consent of the Senate. **[**Eight**]** Seven of the public members shall be representatives of the community and business support groups for New Jersey's military installations and the United States Coast Guard training center. Each public member shall serve for a term of three years from the date of the member's appointment and until the member's successor is appointed and qualified. Vacancies resulting from causes other than by expiration of term shall be filled for the unexpired term only and shall be filled in the same manner as the original appointments were made.
(cf: P.L.2007, c.253, s.22)

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

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

Department of Military [and Veterans'] Affairs.
(cf: P.L.1988, c.138, s.13)

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

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

There shall be appropriated to the State Department of Military [and Veterans'] Affairs from time to time, such sums as may be necessary to meet the State's share, or the entire cost of such construction, when included in any annual or supplemental appropriation act.
(cf: P.L.1988, c.138, s.16)

86. Section 2 of P.L.1968, c.278 (C.38A:13-9) is amended to read as follows:

2. The death benefit provided for in section 1 of [this act] P.L.1968, c.278 (C.38A:13-8) shall not be payable where there is a lump sum death benefit payable as a result of the deceased militiaman's membership in a public employees' pension system, or when the militiaman was detailed to the Department of Military [and Veterans'] Affairs in a permanent duty status and entitled to benefits out of Federal funds.
(cf: P.L.1988, c.138, s.19)

87. Section 2 of P.L.2013, c.238 (C.38:17-2.1) is amended to read as follows:

2. The county medical examiner, or a designee, shall be responsible for the positive identification of an unidentified indigent deceased person. The supervisor of veterans' interment or county medical examiner, as appropriate, shall contact the Department of [Military and Veterans'] Veterans Affairs upon receipt of an unclaimed indigent deceased person to ascertain the veteran status of the person. The supervisor of veterans' interment or county medical examiner, as appropriate, shall be notified upon determination of the veteran status of the person. If the person was a veteran discharged under conditions other than dishonorable, the supervisor of veterans' interment or county medical examiner, as appropriate, shall cause burial or cremation to occur within 72 hours of notification of veteran status.

For the purposes of this section:

"Indigent" shall mean a person who has an income that is below 200 percent of the federal poverty level; and

"Poverty level" shall mean the official poverty level based on family size established and adjusted under Section 673(2) of

Subtitle B. of the federal "Community Services Block Grant Act," Pub.L.97-35 (42 U.S.C. s.9902(2)).
(cf: P.L.2023, c.17, s.2)

88. R.S.38:18-3 is amended to read as follows:

38:18-3. Evidence of the service and disability mentioned in R.S.38:18-1 shall be furnished to the **[**Division of Veterans Services of the**]** Department of **[**Military and Veterans'**]** Veterans Affairs, which shall examine the same and upon being satisfied that the service was performed and the soldier has been rendered totally blind as a result thereof, shall so certify to the Director of the Division of Budget and Accounting who shall, upon receipt thereof, draw a warrant on the State Treasurer in favor of the applicant in a bulk sum for any accrued payments and in the sum of $1,800 annually, which the State Treasurer shall pay out of the money appropriated therefor by the Legislature.
(cf: P.L.2022, c.105, s.2)

89. R.S.38:20-3 is amended to read as follows:

38:20-3. Application for such benefits shall be made to the Department of **[**Military and Veterans'**]** Veterans Affairs, which shall make rules and regulations to effectuate the provisions thereof. It shall ascertain and approve the educational aptitude of the applicant for the course of study desired to be pursued in accordance with tests or standards prescribed or approved by the State Department of Education and the financial need of the applicant and may satisfy itself of the attendance of such applicants and the accuracy of the charges made by the institution which the applicant attends. No more than four annual allotments of $500.00 each shall be allowed any such applicant.
(cf: P.L.1991, c.39, s.1)

90. Section 1 of P.L.1974, c.55 (C.52:14-15.107) is amended to read as follows:

1. Notwithstanding the provisions of the annual appropriations act and section 7 of P.L.1974, c.55 (C.52:14-15.110), the annual salary for each of the following officers shall be $210,000 in calendar year 2024 and thereafter:

Title
Agriculture Department
Secretary of Agriculture
Children and Families Department
Commissioner of Children and Families
Community Affairs Department
Commissioner of Community Affairs
Corrections Department
Commissioner of Corrections
Education Department
Commissioner of Education

Environmental Protection Department
Commissioner of Environmental Protection
Health Department
Commissioner of Health
Human Services Department
Commissioner of Human Services
Banking and Insurance Department
Commissioner of Banking and Insurance
Labor and Workforce Development Department
Commissioner of Labor and Workforce Development
Chairperson of the Civil Service Commission
Law and Public Safety Department
Attorney General
Colonel and Superintendent, State Police
Director of the Office of Homeland Security and Preparedness
Military [and Veterans'] Affairs Department
Adjutant General
State Department
Secretary of State
Secretary of Higher Education
Transportation Department
Commissioner of Transportation
Chief Administrator, New Jersey Motor Vehicle Commission
Treasury Department
State Treasurer
State Comptroller
Chief Technology Officer
Veterans Affairs Department
Commissioner of Veterans Affairs
Members, Board of Public Utilities
(cf: P.L. 2023, c.349, s.5)

[1]91. N.J.S.38A:12-1 is amended to read as follows:

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 State of New Jersey such real property as shall be necessary for the purpose of armories or other military [and veterans'] facilities.

No real property leased by this State or the United States for armories or other military [and veterans'] facilities shall be subject to condemnation proceedings without first obtaining the approval of the Governor.[1]

(cf: P.L.1988, c.138, s.14)

[1]92. N.J.S.38A:12-3 is amended to read as follows:

38A:12-3. The Adjutant General shall, in compliance with the provisions of P.L.1954, c.48 (C.52:34-6 et seq.), supervise the construction, repair and alterations of armories and other military [and veterans'] facilities.[1]
(cf: P.L.1988, c.138, s.15)

[1]93. N.J.S.38A:12-5 is amended to read as follows:

38A:12-5. The Adjutant General may lease, rent or permit the use of any armory or other military [and veterans'] facility, or any part thereof, for nonmilitary purposes, under such restrictions and for such compensation, if any, as he may by regulation prescribe.[1]
(cf: P.L.1988, c.138, s.17)

[1]94. N.J.S.38A:12-6 is amended to read as follows:

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

Furthermore, if it will not interfere with or impair military [or veterans'] activities, the Adjutant General, on behalf of the State, may convey an easement to the county or municipality in which the land is situated or to a public utility company 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.[1]
(cf: P.L.1988, c.138, s.18)

[1]95. N.J.S.38A:12-7 is amended to read as follows:

38A:12-7. The proceeds of any sale made pursuant to [section] N.J.S.38A:12-6 [of this Title] shall be deposited as received with the State Treasurer and maintained by him in a separate account. Moneys credited to such an account shall be appropriated and used for the purchase of real property or for the construction, alteration or renovation of buildings for the use of the militia.[1]
(cf: P.L.1963, c.109, s.1)

[1]96. Section 4 of P.L.2000, c.127 (C.18a:66-2.2) is amended to read as follows:

4. The [Adjutant General] Commissioner of the Department of [Military and Veterans'] Veterans Affairs shall be responsible for determining whether any person seeking to be considered a "veteran" under N.J.S.18A:66-2, for the purpose of eligibility for a veteran's retirement allowance, meets the criteria set forth therein and adjudicating an appeal from any person disputing this determination.

The determination of the [Adjutant General] commissioner shall be binding upon the Division of Pensions and Benefits.[1]
(cf: P.L.2000, c.127, s.4)

[1]97. Section 5 of P.L.2000, c.127 (C.43:15A-6.1) is amended to read as follows:

5. The [Adjutant General] Commissioner of the Department of [Military and Veterans'] Veterans Affairs shall be responsible for determining whether any person seeking to be considered a "veteran" under section 6 of P.L.1954, c.84 (C.43:15A-6), for the purpose of eligibility for a veteran's retirement allowance, meets the criteria set forth therein and adjudicating an appeal from any person disputing this determination. The determination of the [Adjutant General] commissioner shall be binding upon the Division of Pensions and Benefits.[1]
(cf: P.L.2000, c.127, s.5)

[1]98. Section 6 of P.L.2000, c.127 (C.43:16A-11.7a) is amended to read as follows:

6. The [Adjutant General] Commissioner of the Department of [Military and Veterans'] Veterans Affairs shall be responsible for determining whether any person seeking to be considered a "veteran" under section 1 of P.L.1983, c.391 (C.43:16A-11.7), for the purpose of purchasing military service credit, meets the criteria set forth therein and adjudicating an appeal from any person disputing this determination. The determination of the [Adjutant General] commissioner shall be binding upon the board of trustees.[1]
(cf: P.L.2018, c.55, s.11)

[1][91.] 99.[1] Sections 11, 13 through 16, and 29 through 37 of P.L.1987, c.444 (C.38A:3-4.1, 38A:3-12 through 38A:3-15, 38A:3-2a through 38A:3-2i);

section 2 of P.L.1973, c.284 (C.38A:3-2.2);

section 2 of P.L.1989, c.135 (C.38A:3-2b1);

sections 1 and 2 of P.L.1993, c.281 (C.38A:3-2b2 and 38A:3-2b3);

section 14 of P.L.1991, c.273 (C.38A:3-2d1);

sections 1 of P.L.2021, c.215 (C.38A:3-2b2.1);

sections 1 of P.L.2021, c.216 (C.38A:3-2b2.2);

sections 1 of P.L.2021, c.217 (C.38A:3-2b2.3);

section 1 of P.L.2000, c.127 (C.38A:3-6a);

sections 1 and 3 of P.L.2013, c.239 (C.38A:3-6.2a and 38A:3-6.2b);

sections 1 and 2 of P.L.2019, c.207 (38A:3-6.2c and 38A:3-6.2d)

sections 1 through 16 of P.L.1989, c.162 (C.38A:3-6.3 through 38A:3-6.18);

sections 3 through 17 of P.L.1999, c.46 (C.38A:3-23 through 38A:3-37); and

sections 5 and 6 of P.L.1996, c.150 (C.38A:3-6.4a and 38A:3-6.4b), are repealed.

[1]**[**92.**]** 100.[1] This act shall take effect 120 days following enactment, except that such anticipatory administrative action may be taken in advance as shall be deemed necessary for the implementation of this act.

SENATE MILITARY AND VETERANS' AFFAIRS COMMITTEE

STATEMENT TO

SENATE, No. 4376

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 19, 2025

The Senate Military and Veterans' Affairs Committee reports favorably and with committee amendments Senate Bill No. 4376.

As amended by the committee, this bill creates a new Department of Veterans Affairs as a principal department in the executive branch of State government. All divisions and programs concerning veterans now in the Department of Military and Veterans' Affairs are continued and transferred to the new Department of Veterans Affairs. The programs that do not concern veterans are continued in what will be referred to as the Department of Military Affairs. This bill does not create any new divisions or programs. All of the bill's provisions exist in current law and have been duplicated in this bill to provide for their recodification in a new Title 38B. Corresponding provisions of current law now codified in Title 38A are repealed.

New Jersey's veterans have maintained their proud allegiance to the United States and have fought and died to preserve and protect our freedom and way of life. The Department of Military and Veterans' Affairs, which is the current principal government agency that serves this State's veterans, has done an especially commendable job attending to this special group of residents. However, the department has significant priorities with regard to maintaining the strength and readiness of the National Guard and providing for homeland security. While many other states in the United States have a separate cabinet-level department for veterans affairs, New Jersey lacks an executive department which is concerned primarily with the needs and problems of veterans in this State. It is in the public interest to incorporate various services and programs which pertain specifically to veterans and their families and dependents into an executive agency which can serve their specific and special needs more efficiently than is possible at present.

COMMITTEE AMENDMENT

The committee amended the bill to require that the new Commission on Women Veterans submit their initial report to, and periodically advise, the Commissioner of the Department of Veterans Affairs. The amendments also make technical changes for succinctness and clarity.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 4376

STATE OF NEW JERSEY

DATED: JUNE 26, 2025

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 4376 (1R).

As reported, this bill creates a new Department of Veterans Affairs as a principal department in the executive branch of State government. All divisions and programs concerning veterans now in the Department of Military and Veterans' Affairs are continued and transferred to the new Department of Veterans Affairs. The programs that do not concern veterans are continued in what will be referred to as the Department of Military Affairs. This bill does not create any new divisions or programs. All of the bill's provisions exist in current law and have been duplicated in this bill to provide for their recodification in a new Title 38B. Corresponding provisions of current law now codified in Title 38A are repealed.

New Jersey's veterans have maintained their proud allegiance to the United States and have fought and died to preserve and protect our freedom and way of life. The Department of Military and Veterans' Affairs, which is the current principal government agency that serves this State's veterans, has done an especially commendable job attending to this special group of residents. However, the department has significant priorities with regard to maintaining the strength and readiness of the National Guard and providing for homeland security. While many other states in the United States have a separate cabinet-level department for veterans' affairs, New Jersey lacks an executive department which is concerned primarily with the needs and problems of veterans in this State. It is in the public interest to incorporate various services and programs which pertain specifically to veterans and their families and dependents into an executive agency which can serve their specific and special needs more efficiently than is possible at present.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that the creation of a new Department of Veterans Affairs will result in a minimum annual cost increase to the State of $1 million to pay for increased salary and wages costs for positions created under the bill, the cost to provide a suitable headquarters for the new department, and the cost to design and maintain new websites and print materials for the new department.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

SENATE, No. 4376

STATE OF NEW JERSEY
221st LEGISLATURE

DATED: JUNE 30, 2025

SUMMARY

Synopsis: Establishes Department of Veterans Affairs.

Type of Impact: Annual State expenditure increase.

Agencies Affected: Department of Military and Veterans Affairs.

Office of Legislative Services Estimate

Fiscal Impact	**Annual**
State Expenditure Increase	Minimum $1 million

- The Office of Legislative Services (OLS) estimates that the establishment of a new Department of Veterans Affairs will result in a minimum annual cost increase to the State of $1 million to pay for increased salary and wages costs for positions created under the bill, to provide a suitable headquarters for the new department, and to design and maintain new websites and print materials for the new department.

BILL DESCRIPTION

This bill establishes a new Department of Veterans Affairs as a principal department in the Executive Branch of State Government. All divisions and programs concerning veterans currently in the Department of Military and Veterans Affairs will continue and be transferred to the new Department of Veterans Affairs. The programs that do not concern veterans will continue in what will be referred to as the Department of Military Affairs. This bill does not create any new divisions or programs. All of the bill's provisions exist in current law and have been duplicated in this bill to provide for their recodification in a new Title 38B. Corresponding provisions of current law codified in Title 38A are repealed.

Under the bill, the Department of Veterans Affairs will be headed by a commissioner, who is required to appoint at least one deputy commissioner to perform all of the powers, functions, and duties of the commissioner during the absence or disability of the commissioner, and who is required to perform such other duties as assigned. The bill provides that the commissioner will have the powers, functions, and duties formerly vested in the Administrator of Veterans Affairs in the Department of Military and Veterans Affairs, as well as other powers and functions, which will include, but are not limited to, the authority to organize and maintain an administrative division and maintain a suitable headquarters for the department. Under the bill, the commissioner will have an appropriate seal, which will be required to be included on all certificates of records issued from that department.

The Adjutant General of the Department of Military Affairs, will also have an appropriate seal which will be required to be included on all certificates of records issued from the department.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that the establishment of a new Department of Veterans Affairs will result in a minimum annual cost increase to the State of $1 million to pay for increased salary and wages costs for positions created under the bill, to provide a suitable headquarters for the new department, and to design and maintain new websites and print materials for the new department.

The actual annual cost increase to the State will depend on the number of new personnel added to the State's payroll and corresponding salary and wages expenses, the cost to provide a suitable headquarters for the department and operate the new department, and the cost to design and maintain new print and online materials.

Section:	*State Government*
Analyst:	*Anna Harris* *Associate Fiscal Analyst*
Approved:	*Thomas Koenig* *Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

ASSEMBLY, No. 5520

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED APRIL 10, 2025

Sponsored by:
Assemblywoman CLEOPATRA G. TUCKER
District 28 (Essex and Union)
Assemblyman ROBERT J. KARABINCHAK
District 18 (Middlesex)
Assemblywoman ANNETTE QUIJANO
District 20 (Union)

Co-Sponsored by:
Assemblywoman Reynolds-Jackson

SYNOPSIS

Establishes Department of Veterans Affairs.

CURRENT VERSION OF TEXT

As introduced.

(Sponsorship Updated As Of: 5/5/2025)

AN ACT establishing a new Department of Veterans Affairs in the Executive Branch of State government, creating a new Title 38B of the New Jersey Statutes, amending various parts of the statutory law, and repealing various statutes.

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

1. (New section) This act, P.L. , c. (C.)(pending before the Legislature as this bill), shall be known and may be cited as the "New Jersey Department of Veterans Affairs Act."

2. (New section) There is established in the Executive Branch of the State government a principal department which shall be known as the Department of Veterans Affairs.

3. (New section) As used in this act, P.L. , c. (C.)(pending before the Legislature as this bill):

"Commissioner" means the Commissioner of the Department of Veterans Affairs;

"Department" means the Department of Veterans Affairs established pursuant to this act; and

"Veteran" means any person who has served in any branch of the Armed Forces of the United States for at least 90 days, except that if the term "veteran" is defined differently in any other provision of this act, any other statute, or in any federal statute, that definition shall be applicable for the purposes of those statutes.

4. (New section) The administrator and head of the department shall be a commissioner, who shall be known as the Commissioner of the Department of Veterans Affairs, and who shall be an honorably discharged veteran qualified by training and experience to perform the duties of the office. The commissioner shall be appointed by the Governor with the advice and consent of the Senate and shall serve at the pleasure of the Governor during the Governor's term of office and until the appointment and qualification of the commissioner's successor. The entire time of the commissioner shall be devoted to the duties of the office and the commissioner shall receive such salary as shall be provided by law. Any vacancy occurring in the office of the commissioner shall be filled in the same manner as the original appointment.

5. (New section) The commissioner, as head of the department, shall have all of the functions, powers, and duties heretofore vested in the Administrator of Veterans Affairs of the Department of Military and Veterans' Affairs, previously designated in

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 <u>thus</u> is new matter.

N.J.S.38A:3-2, and shall, in addition to the functions, powers, and duties vested in the commissioner by this act, P.L. , c. (C.)(pending before the Legislature as this bill), or by any other law, which are as follows:

a. Administer the work of the department;

b. Appoint and remove officers and other personnel employed within the department, subject to the provisions of Title 11A of the New Jersey Statutes and other applicable statutes, except as herein otherwise specifically provided;

c. Have authority to organize and maintain an administrative division and to assign to employment therein secretarial, clerical and other assistants in the department's or the commissioner's office as the internal operations of the department may require, in accordance with Title 11A of the New Jersey Statutes;

d. Perform, exercise, and discharge the functions, powers, and duties of the department through such divisions as may be established by this act or otherwise by law;

e. 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 commissioner may determine to be necessary for efficient and effective operation;

f. 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 as may be necessary to implement this act or as may be authorized by law;

g. Formulate and adopt rules and regulations for the efficient conduct of the work and general administration of the department, its officers, and its employees;

h. Institute, or cause to be instituted, legal proceedings or processes as may be necessary to properly enforce and give effect to any of the commissioner's powers or duties;

i. Coordinate the activities of the department, and the other divisions and agencies therein, in a manner designed to eliminate overlapping and duplicative functions;

j. Integrate within the department, so far as practicable, all staff services of the department and of the other divisions and agencies therein;

k. Have access to all relevant files and records of other State agencies and require any officer or employee therein to provide information as necessary to assist in performing the functions of the department, subject to any privacy laws;

l. Maintain suitable headquarters for the department and such other quarters as the commissioner shall deem necessary to the proper functioning of the department;

m. Encourage and facilitate the registration of each service member residing in New Jersey with the United States Department of Veterans Affairs, or its successor agency. Registration shall take place, as appropriate, when the service member returns from

deployment on federal active duty, or is discharged, or as soon as possible thereafter. The term "service member" shall mean members of the New Jersey National Guard and members of the United States Armed Forces, or a Reserve component thereof, when the information on each member is made available to the department;

n. Develop and coordinate a volunteer-based program comprised of former service members to assist and mentor veterans who become involved with the criminal justice system, while criminal proceedings are pending and afterward, with accessing assistance to resolve the underlying problems that led or contributed to the veteran's involvement with the criminal justice system including, but not limited to, offering support and guidance, securing housing, employment linkages, job training, education, transportation, disability compensation claims, discharge status, health care, and other linkages available at the local, State, and federal level that can ease the challenge of reentry into civilian life. In addition, the commissioner shall develop a registry of volunteer mentors and make the registry available pursuant to P.L.2017, c.42 (C.2C:43-23 et al.);

o. Prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.);

p. Create a comprehensive public webpage for Gold Star family members that includes, but is not limited to, the following information: State benefits; State and county liaisons; a list of service members from New Jersey killed in action; links to other Gold Star family organizations; and such other information and resources as the commissioner deems necessary and beneficial to a Gold Star family member. A "Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States;

q. Maintain a regional network of Veteran Service Offices to assist veterans and their dependents with information and guidance in filing claims and to assist with employment, education, burial, counseling, housing, social and medical services, and other areas of concern to veterans and their families, as well as provide advice and support to veterans re-entering civilian life; and

r. Perform such other functions as may be prescribed in this act or by any other law.

6. (New section) The commissioner shall appoint at least one deputy commissioner who shall be designated to perform all of the powers, functions, and duties of the commissioner during the absence or disability of the commissioner, and who shall perform

such other duties as are assigned by the commissioner. The deputy commissioner shall be an honorably discharged veteran qualified by training and experience to perform the duties of the office.

7. (New section) The Department of Veterans Affairs, through its regional network of Veteran Service Offices, shall establish a financial planning assistance program for disabled veterans and their caregivers. The purpose of the program shall be to assist disabled veterans and their caregivers with planning for the financial burdens that may arise when a veteran is disabled and needs assistance with daily care and activities including, but not limited to, bathing, dressing, meal preparation, assistance with mobility, housekeeping, shopping, and driving or transportation.

"Caregiver" means a spouse, parent, child, relative or other person who is 18 years of age or older and who has the primary responsibility of providing daily care for the eligible veteran.

"Disabled veteran" means any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service in any branch of the Armed Forces of the United States, a Reserve component thereof, or the National Guard and who has been or shall be declared by the United States Department of Veterans Affairs, or its successor, to have a service-connected disability.

8. (New section) The commissioner may apply for and accept on behalf of the State any grants from the federal government or any agency thereof, or from any foundation, corporation, association, or individual, and may comply with the terms, conditions, and limitations thereof, for any purposes of the department. Any money so received may be expended by the department, subject to any limitations imposed in such grants, to effect any of the purposes of the department, as the case may be, upon warrant of the Director of the Division of Budget and Accounting in the Department of the Treasury on vouchers certified and approved by the commissioner. The power herein granted shall be in addition to, and shall in no way limit the authority granted to the commissioner by, this act, P.L. , c. (C.)(pending before the Legislature as this bill), or any other existing law.

9. (New section) The department shall administer the following principal functions:

a. The supervision and operation of State veterans' memorial homes and cemeteries;

b. The supervision and operation of the liaison office and the field offices which serve the federal Veterans' Affairs Medical Centers;

c. The application for federal grants and programs;

d. The administration of federally-funded training and rehabilitation programs; and

e. The provision of current information to the general public on State and federal veterans' programs and benefits.

Nothing in this section shall be construed as affecting or derogating from any provision of law giving functions, powers, and duties in these areas to other departments or agencies or as giving additional functions, powers, and duties to the commissioner or the department.

10. (New section) The Commissioner of the Department of Veterans Affairs shall determine whether any person seeking to be considered a "veteran" or a "disabled veteran" under N.J.S.11A:5-1, N.J.S.18A:66-2, section 6 of P.L.1954, c.84 (C.43:15A-6) or section 1 of P.L.1983, c.391 (C.43:16A-11.7), meets the criteria set forth therein and shall be considered a veteran or disabled veteran, as appropriate, for the purposes of these laws. The commissioner shall adjudicate an appeal from any person disputing the decision of the commissioner as to whether a person is to be considered a veteran or disabled veteran, as appropriate, for the purposes of these laws. The commissioner shall promptly notify the public entity responsible for administering each such law of the determination of the commissioner, and the determination shall be binding on such public entities.

References in sections 4, 5, and 6 of P.L.2000, c.127 (C.18A:66-2.2, 43:15A-6.1, and 43:16A-11.7a) to the Adjutant General of the Department of Military and Veterans' Affairs shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs.

11. (New section) The personnel of the Department of Veterans Affairs shall consist of the following classes of employees:

a. Classified civil service employees.

b. Unclassified civil service employees, who may be relieved, suspended, or discharged for good cause. Such personnel shall be administered as far as practicable under similar regulations as those applicable to classified civil service.

12. (New section) a. The department shall submit its annual budget request directly to the Governor and the State Treasurer.

b. The commissioner may demand and receive, for the services of the department, except for establishment of veteran status, such fees as the commissioner shall determine. The commissioner shall keep a true record and account of fees received on behalf of the department pursuant to this section and shall pay the same into the State Treasury in the manner prescribed by law.

13. (New section) The commissioner shall have an appropriate seal and have affixed an impression of the same to all certificates of record issued from the Department of Veterans Affairs. Copies of any books, records, papers, and documents in the Department of Veterans Affairs certified by the commissioner or other designated officer of the department, under seal of the Department of Veterans Affairs, shall be admitted as evidence in any court of the State, either civil or military, with the same force and effect as if the original had been produced.

14. (New section) The department, through its divisions, shall administer veteran:

a. administrative services;

b. loans, grants, and services; and

c. training, information, and referrals.

15. (New section) a. A director of a division in the department shall receive such salary as may be established by the commissioner with the approval of the Civil Service Commission and the Director of the Division of Budget and Accounting in the Department of the Treasury.

b. In the event that a director is appointed from persons holding positions in the career service of the State, the director shall retain, during tenure in such position, any rights or protections provided to that person by Title 11A, Civil Service, of the New Jersey Statutes or any pension law or retirement system.

16. (New section) The department, through its divisions, shall:

a. supervise and operate all New Jersey Veterans' Memorial Homes, including: the New Jersey Veterans' Memorial Home-Menlo Park; the New Jersey Veterans' Memorial Home-Vineland; and the New Jersey Veterans' Memorial Home-Paramus;

b. supervise and operate all New Jersey Veterans' Memorial Cemeteries, including the New Jersey Veterans' Memorial Cemetery in Arneytown; and

c. supervise and operate all veterans' homeless shelter facilities owned by the State, including Veterans Haven North and Veterans Haven South.

17. (New section) Any division established or created by the commissioner shall be under the immediate supervision of a director who shall be qualified by training and experience to direct the work of the division. Preference shall be given to honorably discharged veterans qualified by training and experience to perform the duties of the division. The director shall be appointed by the commissioner, and shall serve at the pleasure of the commissioner.

18. (New section) a. As a condition of employment as a direct care staff member at a New Jersey veterans' memorial home, an applicant for employment shall consent to and undergo drug testing for controlled dangerous substances as provided in subsection f. of this section. The drug testing shall be at the expense of the applicant.

If a person applying for employment at a New Jersey veterans memorial home on or after April 16, 2020 tests positive for the unlawful use of any controlled dangerous substance, or refuses to submit to drug testing, the person shall be removed from consideration for employment.

b. A person who is employed at a New Jersey veterans' memorial home as a direct care staff member shall be subject to random drug testing for controlled dangerous substances performed at such intervals as the commissioner deems appropriate. The commissioner shall annually perform random drug tests on 100 direct care staff members.

c. A person who is employed at a New Jersey veterans' memorial home as a direct care staff member may be required to undergo drug testing for controlled dangerous substances if the employee's immediate supervisor has reasonable suspicion to believe that the employee is illegally using a controlled dangerous substance, based on the employee's visible impairment or professional misconduct, which relates adversely to patient care or safety. The supervisor shall report this information to the immediate supervisor in a form and manner specified by the commissioner, and if the supervisor concurs that there is reasonable suspicion to believe that an employee is illegally using a controlled dangerous substance, that supervisor shall notify the chief executive officer of the New Jersey veterans' memorial home, or other executive level officer of the veterans' memorial home designated by the commissioner, and request approval in writing for ordering the employee to undergo drug testing. Drug testing of an employee shall not be ordered without the written approval of the chief executive officer or other executive level officer designated by the commissioner.

d. An employee who tests positive for the unlawful use of any controlled dangerous substance may be referred to employee advisory services, or terminated from employment, as applicable, based on the employee's job title. An employee who refuses to submit to drug testing shall be terminated from employment. In all cases, however, the employee shall retain any available right of review by the Civil Service Commission.

e. The drug testing required pursuant to subsections b. and c. of this section shall be at the expense of the Department of Veterans Affairs.

f. Drug testing shall be performed by an outside drug testing facility in a manner prescribed by the commissioner.

g. The commissioner shall notify all affected employees of New Jersey veterans' memorial homes of the provisions of this section.

h. As used in this section, "direct care staff member" means a: Human Services Technician; Human Services Assistant; physician; psychiatrist; dentist; psychologist; nurse; nurse assistant; physical, occupational, or speech therapist; social worker; and any other staff member employed by a veterans memorial home who provides direct care to a resident at the facility, as determined by the commissioner.

i. Pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the commissioner shall adopt rules and regulations necessary to effectuate the purposes of this section, including, but not limited to, those rules and regulations necessary to ensure the confidentiality of the person undergoing drug testing, and that drug test results are not reported to law enforcement authorities.

19. (New section) The department shall establish a program to oversee the transfer of the remains of veterans from paupers' or potters' cemeteries to the Brigadier General William C. Doyle Veterans' Memorial Cemetery at the request of the veterans' next-of-kin, friends, or fellow veterans. This service shall be provided without cost to the requester. As part of this program, the department shall also inform the general public that this service is available and explain the procedure for requesting that the remains be transferred to the Brigadier General William C. Doyle Veterans' Memorial Cemetery.

20. (New section) a. A funeral director, licensed pursuant to P.L.1952, c.340 (C.45:7-32 et seq.), shall grant a qualified veterans' organization, as defined in subsection b. of section 2 of P.L.1983, c.385 (C.26:7-18.2), the right to receive the cremains of a veteran, or the cremains of an eligible spouse or eligible dependent of a veteran, which have not been claimed by a relative or friend of the deceased within one year after cremation upon certification, to the satisfaction of the Commissioner of Health, that a diligent effort, as defined in subsection a. of section 2 of P.L.1983, c.385 (C.26:7-18.2), has been made to identify, locate, and notify a relative or friend of the deceased within that one-year period, as provided under section 2 of P.L.1983, c.385 (C.26:7-18.2).

A qualified veterans' organization which takes possession of cremains pursuant to this section shall dispose of the cremains by scattering them at sea or by interring them on land in a dignified manner at the State-operated Brigadier General William C. Doyle Veterans' Memorial Cemetery, a State-operated veterans' memorial cemetery, a national veterans' memorial cemetery, or a local

veterans memorial cemetery, if the individual is eligible for interment at those facilities.

b. A funeral home or mortuary, or an agent of the funeral home or mortuary, a funeral director, or a qualified veterans' organization shall not be liable for damages in any civil action arising out of the disposal of cremains pursuant to this section unless the damages are the result of gross negligence or willful misconduct.

21. (New section) The department, through its divisions, shall:

a. administer the Blind Veterans' Allowance Program established pursuant to R.S.38:18-1 et seq.;

b. administer the Paraplegic and Hemiplegic Allowance Program established pursuant to P.L.1947, c.263 (C.38:18A-1 et seq.);

c. maintain a continuous liaison with the Association of Blind Veterans and other similar State and national veterans' associations and organizations;

d. provide all necessary assistance to the Agent Orange Commission upon request;

e. administer the veterans' loan authority established pursuant to P.L.1944, c.126 (C.38:23B-1 et seq.);

f. supervise and operate the liaison and field offices which serve the federal Veterans' Administration Centers at Lyons and East Orange;

g. compete for all grants, private and federal, that would fund programs to benefit the State's veterans and their dependents; and

h. administer State tuition assistance programs for veterans and their dependents established pursuant to the provisions of chapter 71 of Title 18A of the New Jersey Statutes.

22. (New section) The department, through its divisions, shall:

a. administer the operations of the Vietnam Veterans' Outreach Program;

b. administer all federal and State training and rehabilitation programs not administered by other State departments;

c. provide current information to the general public on federal and State veterans' programs and benefits; and

d. provide a continuous liaison between the department, the Department of Education, and the Office of the Secretary of Higher Education to insure that veterans or their dependents seeking to apply for educational programs for veterans or their dependents are referred to the appropriate State office and provided with the information, forms, and assistance necessary to apply for those programs.

23. (New section) a. As used in this section and sections 24 through 36, inclusive, of this act, P.L. , c. (C.)(pending before the Legislature as this bill):

"Advisory council" means the advisory council of a veterans' facility.

"Member" means a person admitted to and receiving care in a veterans' facility.

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

"Veterans' facility" means any home, institution, hospital, or part thereof, the admission to which is under the jurisdiction of the United States Department of Veterans Affairs.

b. Subject to the provisions of this section, the Commissioner of the Department of Veterans Affairs shall be authorized, directed, and empowered to take such actions, and to issue such reasonable rules and regulations, as may be necessary for carrying out the purposes of sections 24 through 36, inclusive, of this act, including specifically to:

(1) provide standards and procedures for the application and determination of eligibility for admission to veterans' facilities;

(2) establish standards and methods for designating the veterans' facility in which an eligible person shall receive care and treatment consistent with available services and individual needs and circumstances;

(3) establish standards of care, treatment, and discipline governing the relationships between the veterans' facilities and persons admitted thereto consistent with and subject to State and federal rules, regulations, and standards of care;

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

(5) negotiate and enter into agreements or contracts with the Veterans Administration or any other appropriate State or federal agency, and to organize the work of the veterans' facilities, giving due regard to the opinion of the advisory councils, in any manner consistent with law to comply with the reasonable requirements of such State and federal agencies, in order to secure the maximum financial assistance and services for carrying out the purposes of sections 24 through 36, inclusive, of this act.

24. (New section) All applications for admission to a veterans' facility shall be made to, and in the manner and form prescribed by, the commissioner. The applicant shall provide a statement that the applicant will accept placement in the facility designated by the commissioner and will abide by the rules, regulations, and discipline of the facility to which the applicant is admitted.

25. (New section) The following persons, if they are without sufficient financial ability to provide for their support and necessary care in the community, may be admitted to a veterans' facility:

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

b. The spouse of any person who has been admitted to a veterans' facility, provided that the spouse is not less than 50 years of age and has been married to such person for a period of not less than 10 years;

c. The surviving spouse of a person who died an honorable death while in the active military service of the United States, or who was a disabled veteran at the time of death, provided that the surviving spouse was the person's spouse at the time of the person's service or was married to the person not less than 10 years prior to the date of application and has not married since the person's death, and provided that the surviving spouse has been a resident of New Jersey for at least two years prior to the date of application; and

d. The parent of a person who was a resident of New Jersey at the time of entry into, and who died an honorable death in time of war or emergency while in, the active military service of the United States, provided that the parent has been a resident of New Jersey for at least two years prior to the date of application.

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

26. (New section) Any disabled veteran who is in distress may be admitted to a veterans' facility for a temporary period in accordance with the rules and regulations promulgated by the commissioner.

27. (New section) A person admitted to a veterans' facility shall be entitled to all of its benefits and be furnished with the clothing, subsistence, medical and surgical attendance necessary to promote the person’s health and welfare in accordance with the rules and regulations of the commissioner.

28. (New section) Any person may be removed from a veterans' facility on being restored the ability to promote the person’s own support and welfare in the community, for immorality, for fraud or willful misrepresentation, or for refusal to abide by the rules, regulations, and discipline of the veterans' facility.

29. (New section) The commissioner may from time to time request that the commissioner of the department overseeing

psychiatric hospitals designate any State hospital for the care of the mentally ill, or a part thereof, as a treatment unit for veterans who require such care and who are eligible for admission to a veterans' facility. Upon making such designation, the commissioner of the appropriate department shall cause to be filed with the Commissioner of the Department of Veterans Affairs and the Secretary of State a certificate setting forth the fact thereof, a description of the precise treatment unit so designated, and its location.

30. (New section) Admission of a veteran to a treatment unit as designated pursuant to section 29 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), shall require:

a. a determination by the appropriate department that such veteran is mentally ill in accordance with the appropriate provisions of Title 30 of the Revised Statutes; and

b. a determination by the Commissioner of the Department of Veterans Affairs that such veteran is eligible for admission to a veterans' facility.

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

31. (New section) The commissioner shall be authorized and empowered to accept and receive funds from the United States Government or any agency thereof, and to accept and receive payments from all members, and their family, relatives, and friends towards the cost of care and treatment as provided in the rules and regulations pertaining thereto.

32. (New section) a. Except in the case of an emergency condition, the commissioner shall not implement a decision to close an existing veterans' facility or to privatize any services, functions, or units of an existing facility if the commissioner finds that the decision shall result in the abolition of 100 or more non-vacant, full-time positions in the career service at the existing facility or facilities affected by the decision, unless the commissioner has complied with the procedures set forth in this section.

b. The commissioner shall conduct at least one public hearing, which shall be held in the region in which the facility is located, or a central location designated by the commissioner if more than one facility is affected by the decision, to provide an opportunity for the public to submit testimony on the proposed closing or privatization. The hearing shall be conducted at least 45 days in advance of a facility closure, or at least 30 days prior to the issuance of a Request for Proposal. For a facility closure, the public hearing shall be held within 15 days of publication of a Notice of Intent to close a facility by the commissioner. The commissioner shall select a publicly

convenient location for the hearing and shall give all persons the opportunity to testify in person or to submit written testimony.

c. The Notice of Intent to close a facility shall be mailed, telephoned, telegrammed, or hand delivered to at least two newspapers for publication, at least one of which shall be within the geographic boundaries of the county where the facility is located. Failure to comply with the requirements of this subsection shall not invalidate or delay any facility closure.

d. The commissioner shall prepare a report setting forth a fiscal impact analysis, policy rationale, and summary of the testimony received at any hearing held pursuant to this section. This report shall be submitted to the chairman of the Joint Budget Oversight Committee within five days of the issuance of a Notice of Intent to Award or within 30 days following the last scheduled public hearing for a facility closure.

33. (New section) The commissioner shall conduct, or contract with another entity to conduct, a series of follow-up studies to assess the well-being of all former residents of State veterans' memorial homes who have made a transition into the community after the effective date of this act, P.L. , c. (C.)(pending before the Legislature as this bill), as a result of implementation of a plan to close a State veterans' memorial home, and also an assessment of the well-being of all former residents for each of the five years after the closure.

The commissioner shall compile the results of the follow-up studies conducted pursuant to this section and shall include this information in a series of reports that the commissioner shall submit to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1).

The report of a follow-up study on the well-being of all former residents of State veterans' memorial homes, who have made a transition into the community after the effective date of this act as a result of the implementation of a plan to close a State veterans' memorial home, shall be submitted one year after the beginning of implementation of the plan, and annually thereafter, until the veterans' memorial home has closed. In addition, for each of the five years after the closure of a home, a report of a follow-up study on the well-being of all former residents of the home shall be submitted.

Reports submitted pursuant to this section shall be made publicly available on the website of the Department of Veterans Affairs.

34. (New section) There are established in the Department of Veterans Affairs four advisory councils known as:

a. The New Jersey Veterans' Memorial Home Advisory Council-Menlo Park;

b. The New Jersey Veterans' Memorial Home Advisory Council-Vineland;

c. The New Jersey Veterans' Memorial Home Advisory Council-Paramus; and

d. The New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown.

Each advisory council shall consist of seven members, at least five of whom are veterans, to be appointed by the commissioner. The term of each council member, except for the initial members, shall be three years commencing on July 1 and ending on June 30 of the third year thereafter, and any vacancy shall be filled for the unexpired term only.

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

35. (New section) Subject to the provisions of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and under general policies established by the commissioner, the advisory councils of the veterans' facilities shall:

a. recommend standards and procedures for application and termination of eligibility for admission to veterans' facilities;

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 needs and circumstances;

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

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

36. (New section) Moneys, choses in action, and effects deposited by a member in trust with the veterans' facility and unclaimed at the death of the member, dying intestate, shall be deemed to be the property of the veterans' facility. Such property shall be held in trust for three years following the death of the depositor, with power to invest the funds and to use the income for the benefit of the members as the advisory council of the veterans' facility and the commissioner deem most advisable.

Upon claim made within three years following the death of the depositor and sustained by legal proof, the sufficiency of which shall be determined by the advisory council of the veterans' facility and the commissioner, such property shall be paid over to the

claimant entitled thereto upon acknowledging, executing, and delivering a proper release and discharge.

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

37. (New section) Subject to the provisions of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and under general policies established by the commissioner, the New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown shall:

a. recommend standards and procedures for application and determination of eligibility for interment in the veterans' cemetery; and

b. advise the commissioner regarding operating policies and procedures as they apply to veterans' family members, funeral directors, and the relationship of the veterans' cemetery with the other veterans' facilities.

38. (New section) In conjunction with the New Jersey Veterans' Memorial Home Advisory Council-Menlo Park, the New Jersey Veterans' Memorial Home Advisory Council-Vineland, the New Jersey Veterans' Memorial Home Advisory Council-Paramus, and the New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown, any reference in any law, contract, or document to the Adjutant General of the Department of Military and Veterans' Affairs or the department shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs or the Department of Veterans Affairs.

39. (New section) There is established by the department a program to assist an eligible family member of a veteran who is already in a New Jersey veterans' memorial home, or an eligible family member of a veteran who is about to enter such a home, in being appointed as guardian of the veteran. In the event that a family member of a veteran who is already in a New Jersey veterans' memorial home, or is about to enter such a home, is not willing or available to serve as guardian of that veteran, some other interested person closely associated with the veteran shall be eligible for assistance in being appointed as guardian under the program herein established. The assistance provided to a family member of a veteran or to some other interested and eligible person associated with a veteran shall be in the form of both technical and financial support.

The commissioner shall develop economic criteria for determining eligibility for financial assistance pursuant to the program established by this section.

40. (New section) The department shall ensure that each veterans' memorial home shall hold quarterly town hall meetings with all veterans' guardians appointed pursuant to section 39 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and persons otherwise having the veteran's power of attorney. The meetings may take place in-person or remotely using the Internet or other electronic means.

Whenever a public health emergency is declared by the Governor pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), each veteran's guardian appointed pursuant to section 39 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), or each person otherwise having the veteran's power of attorney, shall be allowed to remove the veteran from the veterans' memorial home pursuant to procedures established under Department of Veterans Affairs rules and regulations, except the department shall allow for an initial extension of up to 30 days and one additional extension of up to 30 days. The resident veteran shall be required to continue to pay the care and maintenance fee while on temporary furlough to hold a bed. Regular operating procedures shall resume at the conclusion of the public health emergency.

The department shall ensure that each veterans' memorial home shall communicate updates to each veteran's guardian appointed pursuant to section 39 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and each person otherwise having the veteran's power of attorney, through a minimum of two communication means, which shall include regular mail, email, text message, and voice.

41. (New section) a. Notwithstanding the provisions of any law, rule, or regulation to the contrary, the Commissioner of the Department of Veterans Affairs shall transmit a weekly report on the status of the State veterans' memorial homes to the Commissioner of the Department of Health whenever a public health emergency, pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), has been declared by the Governor and is in effect. The weekly report shall include:

(1) the number of residents and staff in each veterans' home, including comparisons to previous reports;

(2) any significant health risks posed to the residents and staff in each veterans' home due to the public health emergency;

(3) any changes in operating procedures in each veterans' home due to the public health emergency; and

(4) the amount of personal protective equipment available to residents and staff at each veterans' home.

b. As used in this section:

(1) "veterans' home" means the New Jersey Veterans' Memorial Home - Menlo Park, the New Jersey Veterans' Memorial Home - Vineland, and the New Jersey Veterans' Memorial Home - Paramus.

(2) "personal protective equipment" means any items commonly used to protect an individual from bacterial or viral infections, including, but not limited to, disinfecting wipes, disposable gloves, disposable gowns, face shields, N95 face masks, surgical masks, or parts thereof.

42. (New section) a. The Department of Veterans Affairs shall establish a position to be known as a resident advocate at each State veterans' memorial home. The resident advocate shall have a direct reporting relationship to the director of the division that oversees the veterans' memorial homes.

b. The resident advocate shall:

(1) act as a liaison between the State veterans' memorial home and each of the residents at the State veterans' memorial home;

(2) receive complaints from residents at the State veterans' memorial home; and

(3) respond to any concerns or grievances from the residents at the State veterans' memorial home and, if appropriate, submit concerns or grievances to the State Long-Term Care Ombudsman.

c. A resident advocate who receives an oral or written complaint from a resident at a State veterans' memorial home shall log the complaint from the resident on a written or electronic form. The division that oversees the veterans' memorial homes shall develop, publish, and distribute the written and electronic form to be used by the resident advocate. At a minimum, the written and electronic form shall contain spaces for:

(1) the name of the resident submitting the complaint;

(2) the nature of the complaint;

(3) whether the complaint is an emergency that requires an immediate response, a critical situation that requires a reasonably prompt response, or a noncritical situation that requires an appropriately timely response; and

(4) a plan of action for the complaint and an estimated time frame within which the action will be taken.

d. A resident advocate who fills out a form under subsection c. of this section shall provide one copy of the form to the resident submitting the complaint and one copy to the administrator of the State veterans' memorial home. The resident advocate shall also retain the advocate's copy for not less than one year after the complaint is resolved.

e. A State veterans' memorial home shall make every reasonable effort to make the resident advocate at that memorial

home easily identifiable by posting the name and work hours of the resident advocate and shall make every reasonable effort to assure that the plan of action prepared by the resident advocate pursuant paragraph (4) of subsection c. of this section is carried out within the time frame set forth in the plan of action.

43. (New section) a. The department shall organize and administer a program of voluntary commitments by employers throughout the State to participate in a plan of veterans' preference in private employment and reemployment.

b. The plan of veterans' preference in private employment shall provide for the fixing of a quota of veterans by the commissioner for all participating employers, but may not require any employed worker to be discharged. The plan shall also provide for the classification of disabled veterans in occupations for which they would not be handicapped, and for first preference in such occupations for such disabled veterans.

c. In the organization and administration of the employment quota preference plan, the commissioner, through appropriate federal, State and local agencies, shall:

Enroll employers who voluntarily commit themselves to the plan and certify the right of such employers to approved forms of public recognition;

Register veterans desiring employment, according to their occupational experience and capacities;

Register labor unions which are willing to participate through appropriate adjustment of their membership and other requirements, and certify the right of such unions to approved forms of public recognition;

Receive requests for workers from all participating employers; and

Either refer qualified veterans, with preference to the disabled, in response to such requisitions or certify that veterans are not available.

44. (New section) The department shall review and approve or disapprove all policies and work programs of State departments, agencies, and instrumentalities relating to veterans' welfare, services, or activities. No such activity or work program shall be undertaken or continued after disapproval by the department without specific authorization from the Governor.

45. (New section) a. Any dependent of a prisoner of war or a person missing in action, upon being accepted to pursue a course of undergraduate study in any private institution of higher education in this State or in any public institution of higher education of this State as enumerated in N.J.S.18A:62-1, shall be allowed to obtain a bachelor's degree, or certificate of completion, for so long as he is

eligible, free of tuition. Once a person qualifies as a dependent under this section, there shall be no situation such as the return of the parent or the reported death of the parent that will terminate the eligibility of the dependent to receive the benefits under this section.

b. As used in this section:

"Dependent" means any child born before, during, or after the period of time the child's parent was a prisoner of war or a person missing in action, or any child legally adopted or in the legal custody of the parent prior to, during, or after the time the parent was a prisoner of war or a person missing in action.

"Prisoner of war" and "person missing in action" means any person who was a resident of this State at the time he or she entered service in the United States Armed Forces, or whose official residence is within this State, and who, while serving in said United States Armed Forces, has been declared to be a prisoner of war, or to be a person missing in action as established by the Secretary of Defense after January 1, 1960.

46. (New section) a. As used in this section:

"Approved course of study" means any curriculum or any combination of unit courses or subjects pursued at an educational institution which is accepted for Veteran's Educational Assistance pursuant to federal law.

"Approved educational institution" means (1) any academic, professional, or vocational school operating within this State, or (2) any graduate level school operating within the United States, or (3) any academic, professional, or vocational school operating outside of this State; provided that the institution shall have made a prior written agreement to accept the tuition credit and reimbursement provided for in this section; provided, further, that no more than 20% of the eligible veterans under subparagraphs (2) and (3) of this paragraph shall attend an approved educational institution operating outside of this State. To qualify as an "approved educational institution" under this section, an institution shall have been approved for Veteran's Educational Assistance pursuant to federal law.

"Eligible veteran" means any veteran of the Armed Forces of the United States residing in New Jersey who is or was eligible for Veteran's Educational Assistance pursuant to federal law and who (1) was domiciled in New Jersey at the time of induction into the Armed Forces, or (2) has been domiciled in New Jersey for a period of not less than 12 consecutive months prior to the date of application, exclusive of any time spent on active duty.

b. For the purposes of this section:

An institutional trade or technical course offered at a nonaccredited school on a clock-hour basis involving shop practice as an integral part thereof shall be considered a full-time course

when a minimum of 30 hours per week of attendance is required with no more than two and one-half hours of rest periods per week and no more than three hours of supervised study per week allowed;

An institutional course offered at a nonaccredited school on a clock-hour basis in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of 25 hours per week net of instruction, which may include customary intervals not to exceed 10 minutes between hours of instruction, is required and no more than three hours of supervised study per week is allowed;

An institutional trade or technical course offered at an accredited school on a clock-hour basis which leads to a standard trade or technical degree and involves shop practice as an integral part thereof shall be considered a full-time course when a minimum of 22 hours per week of attendance is required with no more than two and one-half hours of rest periods per week and no more than three hours of supervised study per week allowed;

An institutional course offered at an accredited school on a clock-hour basis which leads to a standard trade or technical degree in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of 18 hours per week of instruction, which may include customary intervals not to exceed 10 minutes between hours of instruction, is required and no more than two and one-half hours of supervised study is allowed;

An academic high school course requiring 16 units for a full course shall be considered a full-time course when a minimum of four units per year is required, with a unit defined to be not less than 120 60-minute hours or their equivalent of study in any subject in one academic year; and

An institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis shall be considered a full-time course when a minimum of 14 semester hours or the equivalent thereof, for which credit is granted toward a standard college degree, including those for which no credit is granted but which are required to be taken to correct an educational deficiency, is required, except that when the college or university certifies, upon the request of the department, that (1) full-time tuition is charged to all undergraduate students carrying a minimum of less than 14 semester hours or the equivalent thereof or (2) all undergraduate students carrying a minimum of less than 14 semester hours or the equivalent thereof are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by the college or university with the minimum number of semester hours shall be considered a full-time course. In the event the minimum number of semester hours is less than 12 semester hours or the equivalent thereof, less then 12 semester hours or the equivalent thereof shall be considered a full-time course.

Each eligible veteran may select an approved course of study at any approved educational institution selected by the veteran, which will accept and retain the veteran as a student or trainee in any field or branch of knowledge which the institution finds him or her qualified to undertake or pursue.

c. Any eligible veteran who desires tuition credit pursuant to this section, within eight years from the date of (a) separation from active duty or (b) March 3, 1976, whichever is later, shall submit an application to the Department of Veterans Affairs which shall be in a form and contain information as the department shall prescribe. The department shall approve the application unless it finds that the veteran is ineligible for or not entitled to tuition credit, or that the veteran's course of study is not approved pursuant to this section, or that the veteran has already been approved. The department shall notify the veteran and the veteran's selected educational institution of the approval of the application.

d. Each eligible veteran shall be entitled to tuition credit pursuant to this section in accordance with the following schedule:

(1) For a period of one semester, or the equivalent thereof in part-time tuition credit, in the case of educational institutions regularly operated on the semester system, for each three months or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during such period of time, the veteran shall be entitled to tuition credit pursuant to this section for a period of eight semesters, or the equivalent thereof in part-time tuition credit. The maximum credit hereunder shall be for a period of eight semesters; or

(2) For a period of one-quarter, or the equivalent thereof in part-time tuition credit, in the case of educational institutions regularly operated on the quarter system, for each two months or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during that period of time, the veteran shall be entitled to tuition credit pursuant to this section for a period of 12 quarters. The maximum credit hereunder shall be for a period of 12 quarters; or

(3) For a period of one and one-half months of any tuition period, or the equivalent thereof in part-time tuition credit, in the case of educational institutions not operated on the quarter or semester system, for each month or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during that period of time, the veteran shall be entitled to tuition credit pursuant to this section for 36 months of tuition credit, or the equivalent thereof in part-time tuition credit. The maximum credit hereunder shall be for a period of 36 months.

e. If an eligible veteran shall change the veteran's program of study from an educational institution regularly operated on the quarter or semester system, or otherwise, to an educational institution regularly operated on a different system, the remainder of the credit shall accordingly be redistributed by the department in such manner as to carry out the intent of this section.

f. Benefits hereunder shall be in the form of tuition credits limited by the lesser of full tuition or for:

(1) educational institutions regularly operated on the semester system, $200 per semester.

(2) educational institutions regularly operated on the quarter system, $100 per quarter.

(3) educational institutions not regularly operated on the semester or quarter system, $400 per full school year prorated on an equal basis as the Department of Veterans Affairs shall determine.

For veterans pursuing a program of part-time education, the tuition credit shall be in such amounts as the department shall determine. These veterans shall be eligible to receive awards during summer terms, provided that the total award during the period from September 1 to August 31 of any academic year does not exceed the amount of assistance a full-time student at the same institution would receive.

g. Reimbursement for tuition credit shall be made by the State Treasurer to the approved educational institution upon certification by the institution that the veteran is enrolled for the current period and upon certification by the Department of Veterans Affairs that the veteran is both eligible and entitled to tuition credit hereunder subject to the provisions of this section. Reimbursement for tuition credit shall be made out of funds accumulated from the State Lottery.

h. Any benefits granted to eligible veterans pursuant to this section shall not be considered income or an asset in determining financial need for any financial assistance for higher education provided pursuant to Title 18A of the New Jersey Statutes.

i. In the event that the amount appropriated in any fiscal year is insufficient to carry out in full the provisions of this section, the department shall apportion the amount among the eligible veterans applying for tuition credit in proportion to the amount each veteran would be allocated if the full amount were appropriated.

47. (New section) a. As used in this section:

"Vietnam veteran" means a resident of this State who:

(1) served in the Armed Forces of the United States in Southeast Asia in the Vietnam conflict and received a Vietnam Service Ribbon or an Armed Forces Expeditionary Medal;

(2) was honorably discharged or generally discharged under honorable conditions; and

(3) was domiciled in New Jersey on April 9, 1985, for a period of not less than two consecutive years, exclusive of any time spent on active duty.

b. A Vietnam veteran, upon being accepted to pursue a course of study for an initial undergraduate degree in a public institution of higher education of this State as enumerated in N.J.S.18A:62-1, shall be entitled to tuition assistance, while enrolled as a student in good standing at that college, in an amount up to the full tuition cost as determined by the Department of Veterans Affairs pursuant to this section.

c. A Vietnam veteran, upon being accepted to pursue a course of study for an initial undergraduate degree at an independent college or university located in the State, shall be entitled to tuition assistance, while enrolled as a student in good standing at that college or university, in an amount as determined by the Department of Veterans Affairs pursuant to this section, but in an amount not more than the tuition charged at Rutgers, The State University.

d. A tuition award shall not be granted pursuant to this section unless the Vietnam veteran has applied for all other available State or federal student financial aid.

e. Eligibility for this program shall be limited to a period of five years from April 9, 1985. A Vietnam veteran shall be eligible for a tuition award for four academic years, unless the veteran is enrolled in an undergraduate program regularly requiring five academic years for completion, in which case the veteran shall be entitled to a tuition award for a fifth year.

48. (New section) The Department of Veterans Affairs shall provide a link on its website to the directory of public and independent institutions of higher education located on the website of the New Jersey Office of the Secretary of Higher Education. The link shall be placed on the page of the department’s website that lists the education benefits available to veterans.

49. (New section) a. This section shall be known and may be cited as the "New Jersey Homeless Veterans Grant Program Law."

b. There is established in the Department of Veterans Affairs the "New Jersey Homeless Veterans Grant Program." The purpose of this program shall be to award grants to organizations that assist homeless veterans in this State from funds appropriated to the department from the "Homeless Veterans Grant Fund" established pursuant to section 4 of P.L.2013, c.239 (C.54A:9-25.33). The grants shall be allocated on a competitive basis, except grants allocated to public or private entities that provide legal services to homeless veterans and veterans at risk of homelessness shall be allocated pursuant to section 50 of P.L. , c. (C.)(pending before the Legislature as this bill). The Commissioner of the

Department of Veterans Affairs shall develop criteria for the granting of awards. An organization that wishes to apply for a grant under this program shall submit an application to the commissioner. The application shall, at the minimum, include a description of how the organization will assist homeless veterans. The commissioner may adopt, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as may be necessary to effectuate the grant program.

50. (New section) a. This section shall be known and may be cited as the "Homeless Veterans Legal Services Law."

b. Subject to the availability of funds appropriated for this purpose, including but not limited to funding appropriated through section 49 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), the New Jersey Homeless Veterans Grant Program, the Commissioner of the Department of Veterans Affairs shall enter into agreements with public or private entities to fund a portion of the legal services specified in this section, that are provided by such entities to homeless veterans and veterans at risk of homelessness.

c. The commissioner shall ensure that, to the extent practicable, agreements established under this section are made with entities located in the northern, central, and southern regions of the State.

d. Legal services shall include legal services provided by public or private entities that address the needs of homeless veterans and veterans at risk of homelessness as follows:

(1) Legal services related to housing, including eviction defense, representation in landlord-tenant cases, and representation in foreclosure cases.

(2) Legal services related to family law, including assistance in court proceedings for child support, divorce, estate planning, and family reconciliation.

(3) Legal services related to income support, including assistance in obtaining public benefits.

(4) Legal services related to criminal defense, including defense in matters symptomatic of homelessness, such as outstanding warrants, fines, and driver's license revocation, to reduce recidivism and facilitate the overcoming of reentry obstacles in employment or housing.

(5) Such other legal services as the commissioner deems appropriate.

d. In developing and carrying out agreements under this section, the commissioner shall, to the extent practicable consult, with veterans service organizations, and coordinate appropriate outreach relationships with such organizations.

e. The commissioner may require entities that enter into agreements under this section to submit periodic reports on legal

services provided to homeless veterans and veterans at risk of homelessness.

51. (New section) a. The Commissioner of the Department of Veterans Affairs shall provide county prosecutors with a registry of volunteer mentors developed pursuant to subsection (o) of section 5 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), to facilitate the assignment of mentors to eligible service members who have been admitted by the prosecutor into the Veterans Diversion Program established pursuant to P.L.2017, c.42 (C.2C:43-23 et al.). A copy of the registry shall also be provided to the Administrative Director of the Courts to facilitate the assignment of mentors to eligible service members who have been sentenced to a term of probation supervision. The registry of mentors shall be periodically updated by the Department of Veterans Affairs.

b. The Commissioner of the Department of Veterans Affairs shall also prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

52. (New section) a. There is created in the Department of Veterans Affairs, the Commission on Women Veterans. The commission shall work in collaboration with other State agencies and appropriate groups to study and review the needs, priorities, programs, and policies relating to women veterans, including, but not limited to, housing, health care, job training, and outreach. The commission shall ensure that all service providers and citizens are aware of the needs and services available to women veterans and make recommendations for community education and training programs. The commission shall provide outreach in conjunction with the Department of Veterans Affairs and other organizations to educate and recruit prospective veterans.

b. The commission shall consist of 15 members who are New Jersey residents. The Governor shall appoint 12 members and, of the 12 appointed, nine shall be women. There shall be appointed one representative from each of the following branches of military service who may also be affiliated with an organization named below: the Army; the Air Force; the Coast Guard; the Marines; and the Navy. There shall also be appointed by the Governor, one representative from the Veterans of Foreign Wars, one representative from the American Legion, one representative from the Disabled American Veterans, one representative from the American Veterans, one representative from the New Jersey Army National Guard, one representative from the New Jersey Air National Guard, and one representative from the Military Order of the Purple Heart. The Commissioner of the Department of Veterans Affairs, the Commissioner of Labor and Workforce Development,

and the Director of the Division on Women in the Department of Children and Families, or their respective designees, shall serve as ex-officio members.

c. The public members shall serve for terms of three years and until the appointment and qualification of their successors, except that of the initial appointment of public members, four shall be appointed for a term of three years, four shall be appointed for a term of two years, and four shall be appointed for a term of one year.

If any public member discontinues affiliation with the respective veterans' organization, the member shall immediately resign membership with the commission.

Any vacancy in the membership of the commission shall be filled in the same manner as the original appointments are made.

d. The members of the commission shall serve without compensation, but may be reimbursed for necessary and reasonable expenses incurred in the performance of their duties within the limits of funds appropriated or otherwise made available to the commission for its purposes.

e. The commission shall organize as soon as may be practicable after the appointment of a majority of its members and shall select from among its members a chairperson and a vice chairperson, who shall be responsible for the coordination of all activities of the commission. The members shall select a secretary, who need not be a member of the commission.

f. The commission shall meet at the call of the chairperson and hold hearings at such places as it shall designate. A meeting of the commission may also be called upon the request of eight of the commission members, and eight members of the commission shall constitute a quorum at any meeting thereof. The commission shall meet not less than quarterly.

g. The commission may conduct public hearings at such places and at such times as it shall designate, at which it may solicit the testimony of interested persons, groups, and the general public.

h. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes. The Department of Veterans Affairs shall provide such organizational and personnel support as the commission may request.

i. The commission shall prepare and submit an initial report to the Governor, the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), and the Deputy Commissioner of the Department of Veterans Affairs.

j. The commission shall prepare and submit annual reports containing its findings, activities, and recommendations, including any recommendations for administrative and legislative action that

it deems appropriate, to the Governor, the Legislature, and the Commissioner of the Department of Veterans Affairs.

The commission shall periodically advise the Deputy Commissioner of the Department of Veterans Affairs on its activities, findings, and recommendations.

53. (New section) a. The Department of Veterans Affairs shall create and maintain a registry of all organizations that provide services to military veterans. The registry shall be prominently displayed, and organized topically, on a public webpage of the department to provide a comprehensive listing of organizations with services addressing the needs of veterans. The department shall actively seek out organizations to include on the registry, and organizations may also voluntarily submit requests to be included on the registry.

The department shall conduct a review of any organization prior to the organization's inclusion on the registry, and the department may, in its discretion, refuse to include an organization on the registry or remove an organization from the registry if the department determines that the organization's services do not reflect the purpose of the registry. Inclusion on the registry shall not be construed to be an endorsement of an organization by the department or State.

b. As used in this section, "organizations that provide services to veterans" includes any organization, not for profit or otherwise, exclusively providing services to veterans or primarily providing services to veterans, or any organization that provides services to a variety of recipients including veterans.

54. (New section) a. There is created within the Department of Veterans Affairs two advisory councils to be known as Veterans Haven North Council and Veterans Haven South Council. The Veterans Haven North Council shall represent the northern facility and the Veterans Haven South Council shall represent the southern facility. The two councils shall have joint meetings no less than once each calendar year.

Each council shall consist of eight members, at least five of whom shall be veterans, and shall include no less than two women. A Deputy Commissioner of the Department of Veterans Affairs, or a designee, shall serve as a nonvoting ex-officio member on each council. Each member shall be appointed by the commissioner. The term of each council member shall be three years, except that, of the first appointments, two shall be for a term of one year, two for a term of two years, and three for a term of three years. At no time shall a member be allowed to serve more than two terms in the aggregate, or on both councils at the same time.

b. The members of each council shall nominate a chairperson by majority vote of the members, and four members shall constitute

a majority. The chairperson of each council shall be its presiding officer and shall serve until a successor has been nominated by the council.

c. Any vacancy shall be filled for the unexpired term only. Members of the council shall be subject to removal by the commissioner at any time for good and sufficient cause.

d. The members of the council shall receive no compensation for their services, but shall be reimbursed for actual expenditures incurred in the performance of their duties within the limits of funds appropriated or otherwise made available for this purpose.

55. (New section) Under general policies established by the commissioner, each Veterans Haven council shall:

a. formulate comprehensive policies for the coordination of all services for the benefit of veterans housed at the Veterans Haven facilities;

b. consult with and advise the Deputy Commissioner of the Department of Veterans Affairs and the Director of Veterans' Services with respect to the work of each Veterans Haven facility;

c. recommend standards and procedures for application and termination of eligibility for admission to each Veterans Haven facility; and

d. recommend standards of care, treatment and discipline governing the relationship between each Veterans Haven facility and the persons admitted thereto.

56. (New section) The Department of Veterans Affairs shall establish a program to provide assistance to qualified veterans in in-patient and out-patient treatment programs with travel to attend medical counseling appointments for service-connected conditions approved and authorized by the United States Department of Veterans Affairs within this State.

The department shall:

a. develop, in cooperation with the New Jersey Transit Corporation and the United States Department of Veterans Affairs, a program to provide reimbursement, subject to available State or federal funding, to qualified veterans who spend their own funds to travel on public transportation to and from medical counseling appointments for service-connected conditions within the State using any motor bus or rail passenger service conducted by the corporation when the veteran is not otherwise eligible for payment for travel or reimbursement by means of any existing State or federal program;

b. develop, in cooperation with the United States Department of Veterans Affairs, a program to provide reimbursement to qualified veterans who spend their own funds to travel using private transportation to and from medical counseling appointments for service-connected conditions within the State by reimbursing on a

per mile basis their operation of a privately-owned conveyance when that veteran is not otherwise eligible for payment for travel or reimbursement by means of any existing State or federal program, provided that the qualified veteran shall not use a for-hire private entity that charges for transportation unless such transportation is necessary for the qualified veteran due to a service-connected injury or disability for which the veteran has a certified rating provided by the United States Department of Veterans Affairs which prevents or hinders his or her ability to operate a privately-owned conveyance;

c. develop, in coordination with the United States Department of Veterans Affairs, a system for monitoring veterans who have applied for reimbursement;

d. notify the general public and eligible veterans that the program established by this section is available to qualified veterans; and

e. adopt such rules and regulations as may be necessary to effectuate the purposes of this section.

57. (New section) a. The Department of Veterans Affairs, in consultation with the Division of Travel and Tourism in the Department of State and the New Jersey Historical Commission, shall develop and maintain a website providing information detailing war battles fought and places of historic significance to the military or war efforts in New Jersey. The website shall: (1) specify the date and location, and describe the importance, of each battle that took place on lands within the State or in State waters; and (2) identify, and describe the importance of, locations within the State or in State waters that are, or have been, significant to the military or war efforts, such as those locations used for military operations or training or those locations which house, berth, or preserve historic military equipment, vehicles, or vessels, including battleships, fighter planes, and tanks. The information on the website shall be available as a list and in an online tour format, and shall include, but need not be limited to, information pertaining to battles fought and places that are of historic significance to military actions or war efforts undertaken during the Revolutionary War, the War of 1812, the Mexican-American War, the Civil War, the Spanish-American War, World War I, World War II, the Korean War, and the Vietnam War.

b. The department shall be entitled to call to its assistance and avail itself of the services of the employees of any State, county, or municipal department, authority, board, bureau, commission, agency, or entity, or of Rutgers, The State University, or any other public institution of higher education in the State, as it may require and as may be available to it for the purpose of carrying out its duties under this act, P.L. , c.)(pending before the Legislature as this bill).

58. (New section) The Legislature finds and declares that:

a. Residents of New Jersey have answered the call to fight for our country many times as members of the United States military and as members of the New Jersey National Guard.

b. Throughout history, New Jersey residents have made the ultimate sacrifice for their country and have given their life for our freedom.

c. The family members left behind after the untimely deaths of these brave service members, known as Gold Star family members, are often left with emotional wounds who need the caring intervention of a mental health professional to grieve and learn to live with the new reality of their loved one's passing.

d. The United States Department of Veterans Affairs has taken the lead to provide mental health care to veterans and certain family members with the establishment of the Care Enough to Share program, which links mental health professionals with an opportunity to volunteer their time and talents to help the nation's veterans and certain family members by providing mental health counseling.

e. It is honorable and necessary that the State of New Jersey assist these Gold Star family members in their grief by establishing programs that can link mental health care professionals with the family members to provide the needed mental health care free of charge to the families.

59. (New section) As used in this section and section 60 of this act, P.L. , c. (C.)(pending before the Legislature as this bill):

"Gold Star family member" means an individual who is a New Jersey resident and is the surviving spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole blood or the half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States.

"Mental health care professional" means a person who provides mental health services and is licensed or otherwise authorized, pursuant to Title 45 of the Revised Statutes, to practice a health care profession that is regulated by one of the following: the State Board of Medical Examiners; the State Board of Psychological Examiners; the State Board of Social Work Examiners; the State Board of Marriage and Family Therapy Examiners; the Alcohol and Drug Counselor Committee; the Professional Counselor Examiners Committee; or the Certified Psychoanalysts Advisory Committee.

60. (New section) There is established in the Department of Veterans Affairs the "Gold Star Family Counseling Program." The purpose of this program is to link mental health care professionals

with Gold Star family members to facilitate the provision of mental health counseling free of charge to Gold Star family members. The Commissioner of the Department of Veterans Affairs shall create and implement the "Gold Star Family Counseling Program" as follows:

a. The department shall recruit mental health care professionals to donate professional counseling hours to provide mental health counseling to Gold Star family members. The department may coordinate the recruitment efforts with the federal Department of Veterans Affairs.

b. The department shall coordinate with the federal Department of Veterans Affairs to maintain a list of mental health care professionals who are available to provide professional mental health counseling hours to Gold Star family members.

c. The department shall maintain and distribute the list of available mental health care professionals on a Statewide basis and shall distribute the list of available mental health care professionals to each county veteran service office for the distribution thereof.

d. The department shall create a system for monitoring and verifying the donated hours to facilitate the tax credit provided to mental health care professionals pursuant to section 6 of P.L.2017, c.174 (C.54A:4-16).

e. The department shall provide documentation annually to the mental health care professional for submission to the Department of the Treasury to verify the amount of tax credit the mental health care professional is eligible to request annually pursuant to section 6 of P.L.2017, c.174 (C.54A:4-16). The amount of annual tax credit shall be determined by the department as the sum of the hours of donated counseling provided to the Gold Star family member multiplied by the documented compensation rate applied to these hours. To determine the compensation rate, the department shall use the calendar year TRICARE rate for the service provided in the geographic location in which the service is provided. The department shall limit the cumulative hours which are authorized for the annual tax credit to a minimum of 20 hours and a maximum of 40 hours per year, per professional.

f. All mental health care professionals volunteering for the "Gold Star Family Counseling Program" established pursuant to this section shall be immune from civil liability as provided in P.L.1991, c.270 (C.2A:62A-16 et seq.).

g. The department may apply for and accept on behalf of the State any grants from the federal government or any agency thereof, or from any foundation, corporation, association, or individual, except for education grants or federal funds for education grants, and may comply with the terms, conditions, and limitations thereof, to develop and implement the "Gold Star Family Counseling Program" established pursuant to this section. Any money so received may be expended by the department, subject to any

limitations imposed in such grants, upon warrant of the Director of the Division of Budget and Accounting of the Department of the Treasury.

61. (New section) a. The department shall maintain a list of each person possessing a Gold Star Family license plate, issued pursuant to section 2 of P.L.2011, c.17 (C.39:3-27.142), and each person holding a driver's license or identification card with a Gold Star Family designation, issued pursuant to section 1 of P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3), respectively. The department shall distribute the list to the appropriate representative of a State veteran service entity in each county.

b. It shall be unlawful for any person to:

(1) have in the person's possession any canceled, fictitious, fraudulently altered, or fraudulently obtained driver's license or identification card with a Gold Star Family designation;

(2) lend a driver's license or identification card with a Gold Star Family designation to any other person or knowingly permit the use thereof by another;

(3) display or represent a driver's license or identification card with a Gold Star Family designation not issued to the person as being the person's card;

(4) permit any unlawful use of a driver's license or identification card with a Gold Star Family designation issued to the person;

(5) photograph, photostat, duplicate, or in any way reproduce a driver's license or identification card with a Gold Star Family designation, or facsimile thereof, in such a manner that it could be mistaken for a valid driver's license or identification card with a Gold Star Family designation, or to display or have in the person's possession any such photograph, photostat, duplicate, reproduction, or facsimile; or

(6) alter a driver's license or identification card with a Gold Star Family designation in any manner.

c. A person who violates any provision of subsection b. of this section shall be liable to a civil penalty of $1,000. The civil penalty shall be collected pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.), in a summary proceeding before the municipal court having jurisdiction.

62. (New section) a. (1) Upon receipt of the notice from the United States Department of Defense of the death of a service member who resided in this State and whose surviving beneficiary resides in this State, the Department of Veterans Affairs shall notify, no later than ten working days, the appropriate county veterans' affairs office, or county designee, and the appropriate State veterans’ service office. The State office shall provide the surviving beneficiary of a deceased service member with a

comprehensive packet containing information on all federal and State benefits for which the surviving beneficiary may be eligible. The department shall develop the packet and provide all State veterans service offices with a supply of packets for distribution.

This section shall also apply when a deceased service member is not a resident of this State, but whose surviving beneficiary is a resident of this State, if that information is known.

(2) Every county veterans' affairs office shall have a designated Gold Star family member liaison. The liaison may be a volunteer or a Gold Star family member. The liaison shall, in conjunction with the State veterans' service offices, assist Gold Star families to access the services they are entitled to by providing information on State benefits, Gold Star family organizations, and such other resources deemed necessary and beneficial to a Gold Star family member.

b. For the purpose of this section:

"Child" means the individual who is a son or daughter by birth or adoption.

"Deceased service member" means any member of the Armed Forces of the United States a Reserve Component thereof, or a member of the National Guard who dies as a result of enemy action, accident, or disease while on federal active duty, including active duty for training.

"Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States.

"Parent" means the individual who is a father or mother by birth or adoption.

"Spouse" means the individual to whom the deceased service member was legally married at the time of the member's death.

"Surviving beneficiary" means the spouse, child, or parent of a deceased service member who resides in this State.

63. (New section) a. There is hereby established in the Department of Veterans Affairs the New Jersey Commission on Veterans Benefits, consisting of 13 members as follows:

(1) the Commissioner of the Department of Veterans Affairs, or their designee, who shall serve as chairperson;

(2) the Commissioner of the Department of Human Services, or a designee;

(3) the Commissioner of the Department of Health, or a designee;

(4) the Commissioner of the Department of Community Affairs, or a designee;

(5) the Commissioner of the Department of Education, or a designee;

(6) the Commissioner of the Department of Labor and Workforce Development, or a designee;

(7) the Secretary of State, or a designee;

(8) the Attorney General, or a designee; and

(9) five public members who are residents of this State and who are veterans, as defined under section 3 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), one to be appointed by the Governor, and four to be appointed one each by the President of the Senate, the Senate Minority Leader, the Speaker of the General Assembly, and the Assembly Minority Leader. At least two of the five public members shall be women veterans.

The public members of the commission shall serve for terms of three years and until the appointment and qualification of their successors, except that of the initial appointment of public members, three shall be appointed for a term of three years, and two shall be appointed for a term of two years. Any vacancy in the membership of the commission shall be filled in the same manner as the original appointments are made.

b. The commission shall organize as soon as practicable after the appointment of a majority of its members and shall select from among its members a chairperson. The members shall select a secretary, who need not be a member of the commission. Thereafter, the commission shall meet quarterly and at the call of the chairperson. A meeting of the commission may also be called upon at the request of seven of the commission members, and seven members of the commission shall constitute a quorum at any meeting thereof. The commission may conduct public hearings at such places and at such times as it shall designate, at which it may solicit the testimony of interested persons, groups, and the general public.

c. The commission shall be entitled to call to its assistance and avail itself of the services of employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes. The Department of Veterans Affairs shall provide such organizational and personnel support as the commission may request. All departments and agencies of the State shall furnish such advice and information, documentation, and assistance to the commission as is deemed necessary or desirable by the commission to facilitate its purposes.

d. The members of the commission shall serve without compensation, but the public members may be reimbursed for necessary and reasonable expenses incurred in the performance of their duties within the limits of funds appropriated or otherwise made available to it for its purposes.

64. (New section) a. It shall be the duty of the New Jersey Commission on Veterans Benefits to develop, maintain, and annually update a five-year Statewide veterans' benefits strategic plan that includes goals and measurable outcomes to ensure that all State departments and agencies are effectively delivering comprehensive services and support for veterans and their families in this State.

b. In developing and updating the strategic plan, the commission shall conduct an analysis to identify the various programs and benefits provided by the State to the veteran population, and to evaluate those programs to assess their status and effectiveness. Areas of analysis shall include, but need not be limited to, each existing program's status, successes, and challenges in addressing the veteran population's: (1) access to benefits; (2) educational, job skills, employment, and business opportunities; (3) physical and behavioral health and long-term healthcare options; (4) criminal justice issues; (5) housing opportunities and homelessness; and (6) special needs as determined by the commission. The strategic plan shall be based upon comprehensive data gained through open and transparent engagement with State departments and agencies and veterans' stakeholders.

c. The commission shall develop recommendations to be submitted to the Governor and the Legislature to address any deficiencies in the provision of benefits and services to veterans in this State. The recommendations shall specifically address whether the existing State programs, services, and resources are adequate to meet the veteran population's existing needs; are being used to fulfill objectives in a manner that complements and leverages State, federal, and private resources; and how they may more effectively deliver veteran services to all current and future veterans in the State of New Jersey.

d. The commission shall prepare and submit an initial five-year strategic plan to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1). Thereafter, the commission shall prepare and submit annual reports to the Governor and the Legislature containing its findings, activities, and recommendations, including any recommendations for administrative and legislative action that it deems appropriate.

65. (New section) a. All former service members of the Armed Forces who were separated from the service with a general or other than honorable discharge due solely to their sexual orientation, or gender identity or expression, may request that the Department of Veterans Affairs assist them to have the designation on the discharge changed and recorded as honorable.

b. The Department of Veterans Affairs shall:

(1) create, publish, and distribute material to all public agencies of the availability of the assistance; and

(2) create a consistent and uniform process to assist a former service member with the appropriate and necessary forms and conditions prescribed by federal law, so that service member may petition the United States Department of Veterans Affairs, or its successor agency, to change the designation on the discharge to honorable.

At no time shall a fee be charged to a former service member for seeking assistance to have the designation on the discharge changed to honorable.

c. A former service member who has the designation of discharge changed to honorable shall be afforded the same rights, privileges, and benefits authorized by State law to service members who were honorably discharged.

d. Information related to the change in the designation of a discharge, including, but not limited to, a request for assistance, shall be confidential and not accessible to the public as a government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.).

e. The commissioner shall, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt any rules and regulations as the commissioner deems necessary to carry out the provisions of this section.

66. (New section) The commissioner may procure and issue such service medals, ribbons, clasps, or similar devices as are authorized by the Legislature to be awarded to residents of the State of New Jersey, who served on active duty in time of war or emergency or who served as members of the American Merchant Marine during World War II, and are declared by the United States Department of Defense to be eligible for federal veterans' benefits.

67. (New section) a. The Governor may present in the name of the State of New Jersey a POW-MIA medal of appropriate design, and ribbon to be worn in lieu thereof, to:

(1) any person who, on the date of induction into the organized militia or federal military service, was a resident of this State and who, while serving in the organized militia or in federal military service on active duty in a combat theater of operation during time of war or emergency, shall have been officially listed as a prisoner of war or missing in action by the United States Department of Defense; or

(2) any person who, on the date of induction into the organized militia or federal military service, was not a resident of this State but currently resides in this State or was a resident at time of death and who, while serving in the organized militia or in federal military service on active duty in a combat theater of operation during time of war or emergency, shall have been officially listed as a prisoner of war or missing in action by the United States Department of Defense; and

(3) was taken prisoner and held captive or declared missing in action: (a) while engaged in an action against an enemy of the United States; (b) while engaged in military operations involving conflict with an opposing foreign force; or (c) while serving with friendly forces engaged in an armed conflict against an opposing force in which the United States is not a belligerent party.

b. The period of creditable military service must include the period of captivity from date of capture through date of release. While no minimum time period of captivity exists as eligibility criteria for the medal, the Department of Veterans Affairs should determine each case on its merits.

c. The medal shall be issued only to those taken prisoner by foreign armed forces that are hostile to the United States, under circumstances which the commissioner, or a designee, finds to have been comparable to those under which persons have generally been held captive by enemy armed forces during periods of armed conflict.

d. Any person convicted by a United States military tribunal of misconduct or a criminal charge or whose discharge is less than honorable based on actions while a POW-MIA is ineligible for the medal. Any POW-MIA whose conduct was not in accord with the Code of Conduct, and whose actions are documented by United States military records, is ineligible for the medal. Resolution of questionable cases shall be the responsibility of the commissioner or a designee.

e. No more than one medal shall be awarded. For subsequent acts justifying award of the medal, service stars shall be awarded and worn on the suspension and service ribbon of the medal. A period of captivity terminates on return to United States military control. Escapees who do not return to United States military control and are recaptured by an enemy do not begin a new period of captivity for subsequent award of the medal.

f. The medal may be awarded for a deceased person or a person absent as a prisoner of war or missing in action and, when so directed, may be presented to such representatives, as the commissioner considers appropriate, who submit all of the required forms and documentation on behalf of that person.

Return of remains, in and of itself, does not constitute evidence of POW-MIA status.

g. The Department of Veterans Affairs shall receive requests for, and issue, the medal to eligible individuals or their next-of-kin, who shall use the “Department of Veterans Affairs application for award/program" application, attaching a copy of DD Form 214 or WD Form 53 and death certificate copy, if applicable.

h. There is created in the Department of the Treasury a special, non-lapsing fund to be known as the "POW-MIA Medal Fund." There shall be deposited into the fund the amounts made available for the purposes of the fund and monetary donations that may be

received from any source for the purposes of the fund and any interest earned thereon. Monies deposited in the fund shall be dedicated for the design, manufacture, and distribution of the medal.

68. (New section) a. References in R.S.38:20-3 concerning educational grants for war orphans; section 2 of P.L.1999, c.276 (C.34:1B-176) concerning information for veterans on the assistance programs of the New Jersey Economic Development Authority; section 44 of P.L.2003, c.79 (C.27:23-47) concerning the maintenance of the Vietnam Veterans' Memorial; section 2 of P.L.1999, c.92 (C.54A:9-25.16) concerning the Korean Veterans' Memorial Fund; and section 3 of P.L.2003, c.105 (C.26:2H-94) concerning certain health care facilities, to the Adjutant General and the Department of Military and Veterans' Affairs shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs and the Department of Veterans Affairs.

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

The Veterans' Services Council, established pursuant to P.L.1948, c.448 (C.13:1B-20 et seq.), together with all its functions, powers, and duties, is transferred to the Department of Veterans Affairs.

c. References in section 2 of P.L.1989, c.334 (C.18A:73-20.3) concerning collections by the New Jersey State Museum; section 1 of P.L.2001, c.302 (C.18A:7C-4.1) concerning the "Operation Recognition" program; section 16 of P.L.1974, c.30 (C.19:31-6.4) concerning voter registration forms; and section 1 of P.L.1999, c.120 (C.27:1A-5.16) concerning the Blue Star Memorial Highway Council to the Adjutant General and the Department of Military and Veterans' Affairs shall be deemed to mean and refer to the Commissioner and the Department of Veterans Affairs.

d. Whenever any statute shall refer to veterans' matters in the Department of Veterans Services and Defense, the same shall mean and refer to the Department of Military and Veterans' Affairs. Whenever any statute refers to veterans' matters in the Department of Military and Veterans' Affairs, the same shall mean and refer to the Department of Veterans Affairs.

69. (New section) The transfers made by this act, P.L. , c. (C.)(pending before the Legislature as this bill), shall be made in accordance with the "State Agency Transfer Act," P.L.1971, c. 375 (C.52:14D-1 et seq.).

The programs developed within the Department of Military and Veterans' Affairs prior to the effective date of this act shall be

continued and transferred to the Department of Veterans Affairs in accordance with, or as provided by, this act.

The councils and commissions, together with all their functions, powers, and duties, are continued and transferred from the Department of Military and Veterans' Affairs to the Department of Veterans Affairs in accordance with, and as provided by, this act. This act shall not affect the terms of office of the members of the councils and commissions serving on the effective date.

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

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

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

(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.1988, c.138, s.2)

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

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

(cf: P.L.1988, c.138, s.4)

72. Section 1 of P.L.1987, c.444 (C.38A:3-1.1) is amended to read as follows:

1. The Legislature finds and declares:

a. Since the establishment of this State more than 200 years ago, New Jersey's veterans have maintained their proud allegiance to the United States and have fought and died to preserve and protect our freedom and way of life;

b. Presently there are approximately 900,000 veterans with service in time of war or conflict residing in New Jersey, including more than 10,000 World War I veterans, 406,000 World War II veterans, 202,000 veterans of the Korean conflict, 203,000 veterans of the Vietnam conflict, 30,000 women veterans, and veterans of the Lebanon and Grenada peacekeeping missions;

c. The Departments of Higher Education, Human Services, Labor, and Treasury provide special services and benefits to these veterans and their dependents;

d. The Department of Human Services, which is the principal government agency that serves this State's veterans, has done an especially commendable job attending to this special group of residents; and

e. [Yet while 23 states in the United States have a separate cabinet-level Department of Veterans' Affairs, New Jersey lacks an executive department which is concerned primarily with the needs and problems of veterans in this State;] (Deleted by amendment, P.L. , c.)(pending before the Legislature as this bill)

f. It is in the public interest to incorporate various services and programs which pertain specifically to veterans and their dependents into an executive department which can serve their needs more efficiently than is possible at present.

(cf: P.L.1987, c.444, s.1)

73. Section 33 of P.L.1988, c.138 (C.38A:3-1a) is amended to read as follows:

33. Whenever any statute shall refer to the Department of Defense or the Department of Veterans' Affairs and Defense, the same shall mean the Department of Military [and Veterans'] Affairs; except as provided in section 69 of P.L. , c. (C.)(now pending before the Legislature as this bill).

(cf: P.L.1988, c.138, s.33)

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

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

a. "Department"], "department" means the Department of Military [and Veterans'] Affairs established pursuant to N.J.S.38A:3-1 et seq., as amended[;

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

(cf: P.L.1988, c.138, s.3)

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

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

(a) The Adjutant General;

(b) The deputy adjutant general;

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

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

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

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

(g) State headquarters for selective service; and

(h) The organized militia[;] .

(i) [The Administrator of Veterans' Affairs;] (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(j) [The Director of the Division of Veterans' Administrative Services;] (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(k) [The Director of the Division of Veterans' Loans, Grants and Services; and] (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(l) [The Director of the Division of Veterans' Training, Information and Referrals.] (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(cf: P.L.1988, c.138, s.6)

76. Section 2 of P.L.2017, c.359 (C.38A:3-2k) is amended to read as follows:

2. There is hereby created in the Department of Military [and Veterans'] Affairs a Military and Defense Economic Ombudsman. The ombudsman shall be appointed by the Governor. The person appointed shall have expertise in the areas of defense, business, and governmental affairs, and shall have been a resident of this State for at least 36 consecutive months immediately preceding appointment. Once appointed, the ombudsman shall continue to maintain residency in New Jersey and shall serve at the pleasure of the Governor and shall report to the Adjutant General. The office of the Military and Defense Economic Ombudsman may request and shall avail itself and utilize the services of any officer or employee of the Department of Military [and Veterans'] Affairs and of any other State department or agency, who shall render such assistance as the head of the principal department or agency may require without additional compensation.

(cf: P.L.2017, c.359, s.2)

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

38A:3-3. The head of the Department of Military [and Veterans'] Affairs 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:

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

(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

officers having the qualifications to become federally-recognized as brigadier general of the line, New Jersey Army National Guard, or brigadier general, New Jersey Air National Guard.
(cf: P.L.1988, c.138, s.9)

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

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

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

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

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

(d) Command the organized militia of the State, with responsibility for recruiting, mobilization, administration, training, discipline, equipping, supply and general efficiency thereof. **[**He**]** The Adjutant General may issue such regulations and delegate such command functions as shall be deemed necessary. The regulations so issued shall, insofar as possible, conform to the federal laws and regulations concerning the same.

(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 Military **[**and Veterans'**]** Affairs.

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

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

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

(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.

(j) **[**Exercise all of the functions, powers and duties heretofore vested in the Director of the Division on Veterans' Programs and Special Services.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(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 applicable statutes, except as herein otherwise specifically provided.

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

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

(n) Organize the work of the department in divisions not inconsistent with the provisions of this act, P.L. , c. (pending before the Legislature as this bill) and in bureaus and other organizational units as the Adjutant General may determine to be necessary for efficient and effective operation.

(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 as may be authorized by law.

(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.

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

(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.

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

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

(u) **[**Supervise and operate the New Jersey Veterans' Memorial Home-Menlo Park, the New Jersey Veterans' Memorial Home-Vineland, the New Jersey Veterans' Memorial Home-Paramus and the New Jersey Veterans' Memorial Cemetery-Arneytown.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(v) **[**Supervise and operate the liaison office and the field offices which serve the federal Veterans' Affairs Medical Centers.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

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

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

(y) **[**Provide current information to the general public on State and federal veterans' programs and benefits; create a comprehensive public webpage for women veterans that includes, but is not limited to, the following information: veterans' legal rights, benefits, medical and insurance issues, education, the transition from active service to civilian life, and other resources available to veterans.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(z) **[**Develop and administer the New Jersey Homeless Veterans Grant Program established pursuant to section 3 of P.L.2013, c.239 (C.38A:3-6.2b).**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(aa) **[**Encourage and facilitate the registration of each service member residing in New Jersey with the United States Department of Veterans' Affairs, or its successor agency. Registration shall take place, as appropriate, when the service member returns from deployment on federal active duty or is discharged or as soon as possible thereafter. The term "service member" shall mean members of the New Jersey National Guard and members of the United States Armed Forces, or a Reserve component thereof, when the information on each member is made available to the department.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(bb) **[**Develop and coordinate a volunteer-based program comprised of former servicemembers to assist and mentor veterans who become involved with the criminal justice system, while criminal proceedings are pending and afterward, in accessing assistance to resolve the underlying problems that led or contributed to the veteran's involvement with the criminal justice system including, but not limited to, offering support and guidance, securing housing, employment linkages, job training, education, transportation, disability compensation claims, discharge status, health care and other linkages available at the local, State and federal level that can ease the challenge of reentry into civilian life. In addition, the Adjutant General shall develop a registry of volunteer mentors and make the registry available pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(cc) **[**Prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).**]** (Deleted by

amendment, P.L. , c.) (pending before the Legislature as this bill)

(dd) **[**Create a comprehensive public webpage for Gold Star family members that includes, but is not limited to, the following information: State benefits; State and county liaisons; a list of service members from New Jersey killed in action; links to other Gold Star family organizations; and such other information and resources as the Adjutant General deems necessary and beneficial to a Gold Star family member. A "Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

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

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

79. Section 41 of P.L.1994, c.182 (C.38A:3-6.19) is amended to read as follows:

41. The Adjutant General of the Department of Military **[**and Veterans'**]** Affairs shall:

a. cause copies of the voter registration forms and instructions furnished under subsection f. of section 16 of P.L.1974, c.30 (C.19:31-6.4) to be displayed at each recruitment office of the New Jersey National Guard and to be made available to each person who, when appearing in person at such office to apply for enlistment in the Guard, may wish, on a voluntary basis, to register to vote;

b. provide for the continuous supply of the forms and instructions specified in subsection a. of this section to each such office; and

c. provide the forms and instructions specified in subsection a. of this section in both the English and Spanish languages to each recruitment office of the New Jersey National Guard which is located in any county in which bilingual sample ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965, c.29 (C.19:23-22.4).

(cf: P.L.1994, c.182, s.41)

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

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

(a) Officers and enlisted members who are ordered to active 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 this title.

(b) Classified civil service employees.

(c) Unclassified civil service employees, who may be relieved, suspended or discharged for good cause. Such personnel shall be administered as far as practicable under similar regulations as those applicable to classified civil service, but shall be subject to military discipline and control as the Commissioner deems appropriate, and shall include all personnel employed for the maintenance of armories.

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

(cf: P.L.1988, c.138, s.11)

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

38A:3-10. The **[**Adjutant General**]** Commissioner of the Department of Veterans Affairs may demand and receive, for the services herein enumerated, except for those in proof of pension**[**, establishment of veteran status,**]** and exemption from jury duty, or in lieu of lost discharges, the following fees:

(a) For every search made in his office for the military record of any member or former member of the armed forces, including any member of the American Merchant Marine during World War II who is declared by the United States Department of Defense to be eligible for federal veterans' benefits, the sum of $1.00.

(b) For the furnishing of every certified copy of such record, the sum of $2.00.

The **[**Adjutant General**]** Commissioner shall keep a true record and account of fees received under the provisions of this section and shall pay the same into the State Treasury in the manner prescribed by law.

(cf: P.L.1991, c.389, s.21)

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

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

been produced.
(cf: P.L.1988, c.138, s.12)

83. Section 2 of P.L.1992, c.86 (C.38A:3-16) is amended to read as follows:

2. The Council on Armed Forces and Veterans' Affairs established in the Department of Commerce and Economic Development pursuant to P.L.1983, c.61 (C.52:27H-45 et seq.) is hereby transferred to and established in the Department of Military **[**and Veterans'**]** Affairs. The council shall consist of 22 members: two to be appointed by the President of the Senate from the members thereof, no more than one of whom shall be from the same political party; two to be appointed by the Speaker of the General Assembly from the members thereof, no more than one of whom shall be from the same political party; the Adjutant General of the Department of Military **[**and Veterans'**]** Affairs, the Commissioner of the Department of Veterans Affairs, the Commissioner of the New Jersey Commerce Commission, the Commissioner of Education, the Commissioner of Environmental Protection, the Commissioner of Transportation, the State Treasurer, the Commissioner of Community Affairs, the Commissioner of Labor and Workforce Development, and the Chair of the New Jersey Commission on Higher Education, or their designees; and **[**nine**]** eight public members to be appointed by the Governor, with the advice and consent of the Senate. **[**Eight**]** Seven of the public members shall be representatives of the community and business support groups for New Jersey's military installations and the United States Coast Guard training center. Each public member shall serve for a term of three years from the date of the member's appointment and until the member's successor is appointed and qualified. Vacancies resulting from causes other than by expiration of term shall be filled for the unexpired term only and shall be filled in the same manner as the original appointments were made.
(cf: P.L.2007, c.253, s.22)

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

38A:10-3. The military courts for the militia of this State shall be constituted like similar courts of the armed forces of the United States. They shall have the jurisdiction and powers, except as to punishments, and shall follow the forms and procedures provided for those courts. The convening authority for such military courts and maximum punishments authorized shall be as prescribed by federal and State laws and regulations applicable to the national guard; provided, however, that special courts-martial may be convened only with the approval of the Adjutant General, Department of Military **[**and Veterans'**]** Affairs.
(cf: P.L.1988, c.138, s.13)

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

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

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

(cf: P.L.1988, c.138, s.16)

86. Section 2 of P.L.1968, c.278 (C.38A:13-9) is amended to read as follows:

2. The death benefit provided for in section 1 of **[**this act**]** P.L.1968, c.278 (C.38A:13-8) shall not be payable where there is a lump sum death benefit payable as a result of the deceased militiaman's membership in a public employees' pension system, or when the militiaman was detailed to the Department of Military **[**and Veterans'**]** Affairs in a permanent duty status and entitled to benefits out of Federal funds.

(cf: P.L.1988, c.138, s.19)

87. Section 2 of P.L.2013, c.238 (C.38:17-2.1) is amended to read as follows:

2. The county medical examiner, or a designee, shall be responsible for the positive identification of an unidentified indigent deceased person. The supervisor of veterans' interment or county medical examiner, as appropriate, shall contact the Department of **[**Military and Veterans'**]** Veterans Affairs upon receipt of an unclaimed indigent deceased person to ascertain the veteran status of the person. The supervisor of veterans' interment or county medical examiner, as appropriate, shall be notified upon determination of the veteran status of the person. If the person was a veteran discharged under conditions other than dishonorable, the supervisor of veterans' interment or county medical examiner, as appropriate, shall cause burial or cremation to occur within 72 hours of notification of veteran status.

For the purposes of this section:

"Indigent" shall mean a person who has an income that is below 200 percent of the federal poverty level; and

"Poverty level" shall mean the official poverty level based on family size established and adjusted under Section 673(2) of Subtitle B. of the federal "Community Services Block Grant Act," Pub.L.97-35 (42 U.S.C. s.9902(2)).

(cf: P.L.2023, c.17, s.2)

88. R.S.38:18-3 is amended to read as follows:

38:18-3. Evidence of the service and disability mentioned in R.S.38:18-1 shall be furnished to the **[**Division of Veterans Services of the**]** Department of **[**Military and Veterans'**]** Veterans Affairs, which shall examine the same and upon being satisfied that the service was performed and the soldier has been rendered totally blind as a result thereof, shall so certify to the Director of the Division of Budget and Accounting who shall, upon receipt thereof, draw a warrant on the State Treasurer in favor of the applicant in a bulk sum for any accrued payments and in the sum of $1,800 annually, which the State Treasurer shall pay out of the money appropriated therefor by the Legislature.

(cf: P.L.2022, c.105, s.2)

89. R.S.38:20-3 is amended to read as follows:

38:20-3. Application for such benefits shall be made to the Department of **[**Military and Veterans'**]** Veterans Affairs, which shall make rules and regulations to effectuate the provisions thereof. It shall ascertain and approve the educational aptitude of the applicant for the course of study desired to be pursued in accordance with tests or standards prescribed or approved by the State Department of Education and the financial need of the applicant and may satisfy itself of the attendance of such applicants and the accuracy of the charges made by the institution which the applicant attends. No more than four annual allotments of $500.00 each shall be allowed any such applicant.

(cf: P.L.1991, c.39, s.1)

90. Section 1 of P.L.1974, c.55 (C.52:14-15.107) is amended to read as follows:

1. Notwithstanding the provisions of the annual appropriations act and section 7 of P.L.1974, c.55 (C.52:14-15.110), the annual salary for each of the following officers shall be $210,000 in calendar year 2024 and thereafter:

Title

Agriculture Department

Secretary of Agriculture

Children and Families Department

Commissioner of Children and Families

Community Affairs Department

Commissioner of Community Affairs

Corrections Department

Commissioner of Corrections

Education Department

Commissioner of Education

Environmental Protection Department

Commissioner of Environmental Protection

Health Department
Commissioner of Health
Human Services Department
Commissioner of Human Services
Banking and Insurance Department
Commissioner of Banking and Insurance
Labor and Workforce Development Department
Commissioner of Labor and Workforce Development
Chairperson of the Civil Service Commission
Law and Public Safety Department
Attorney General
Colonel and Superintendent, State Police
Director of the Office of Homeland Security and Preparedness
Military [and Veterans'] Affairs Department
Adjutant General
State Department
Secretary of State
Secretary of Higher Education
Transportation Department
Commissioner of Transportation
Chief Administrator, New Jersey Motor Vehicle Commission
Treasury Department
State Treasurer
State Comptroller
Chief Technology Officer
<u>Veterans Affairs Department</u>
<u>Commissioner of Veterans Affairs</u>
Members, Board of Public Utilities
(cf: 2023, c.349, s.5)

91. Sections 11, 13 through 16, and 29 through 37 of P.L.1987, c.444 (C.38A:3-4.1, 38A:3-12 through 38A:3-15, 38A:3-2a through 38A:3-2i);
section 2 of P.L.1973, c.284 (C.38A:3-2.2);
section 2 of P.L.1989, c.135 (C.38A:3-2b1);
sections 1 and 2 of P.L.1993, c.281 (C.38A:3-2b2 and 38A:3-2b3);
section 14 of P.L.1991, c.273 (C.38A:3-2d1);
sections 1 of P.L.2021, c.215 (C.38A:3-2b2.1);
sections 1 of P.L.2021, c.216 (C.38A:3-2b2.2);
sections 1 of P.L.2021, c.217 (C.38A:3-2b2.3);
section 1 of P.L.2000, c.127 (C.38A:3-6a);
sections 1 and 3 of P.L.2013, c.239 (C.38A:3-6.2a and 38A:3-6.2b);
sections 1 and 2 of P.L.2019, c.207 (38A:3-6.2c and 38A:3-6.2d)

sections 1 through 16 of P.L.1989, c.162 (C.38A:3-6.3 through 38A:3-6.18);

sections 3 through 17 of P.L.1999, c.46 (C.38A:3-23 through 38A:3-37); and

sections 5 and 6 of P.L.1996, c.150 (C.38A:3-6.4a and 38A:3-6.4b), are repealed.

92. This act shall take effect 120 days following enactment, except that such anticipatory administrative action may be taken in advance as shall be deemed necessary for the implementation of this act.

STATEMENT

This bill creates a new Department of Veterans Affairs as a principal department in the executive branch of State government. All divisions and programs concerning veterans now in the Department of Military and Veterans' Affairs are continued and transferred to the new Department of Veterans Affairs. The programs that do not concern veterans are continued in what will be referred to as the Department of Military Affairs. This bill does not create any new divisions or programs. All of the bill's provisions exist in current law and have been duplicated in this bill to provide for their recodification in a new Title 38B. Corresponding provisions of current law now codified in Title 38A are repealed.

New Jersey's veterans have maintained their proud allegiance to the United States and have fought and died to preserve and protect our freedom and way of life. The Department of Military and Veterans' Affairs, which is the current principal government agency that serves this State's veterans, has done an especially commendable job attending to this special group of residents. However, the department has significant priorities with regard to maintaining the strength and readiness of the National Guard and providing for homeland security. While many other states in the United States have a separate cabinet-level department for veterans affairs, New Jersey lacks an executive department which is concerned primarily with the needs and problems of veterans in this State. It is in the public interest to incorporate various services and programs which pertain specifically to veterans and their families and dependents into an executive agency which can serve their specific and special needs more efficiently than is possible at present.

[First Reprint]

ASSEMBLY, No. 5520

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED APRIL 10, 2025

Sponsored by:
Assemblywoman CLEOPATRA G. TUCKER
District 28 (Essex and Union)
Assemblyman ROBERT J. KARABINCHAK
District 18 (Middlesex)
Assemblywoman ANNETTE QUIJANO
District 20 (Union)

Co-Sponsored by:
Assemblywomen Reynolds-Jackson and Haider

SYNOPSIS

Establishes Department of Veterans Affairs.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on June 19, 2025, with amendments.

(Sponsorship Updated As Of: 6/23/2025)

AN ACT establishing a new Department of Veterans Affairs in the Executive Branch of State government, creating a new Title 38B of the New Jersey Statutes, amending various parts of the statutory law, and repealing various statutes.

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

1. (New section) This act, P.L. , c. (C.)(pending before the Legislature as this bill), shall be known and may be cited as the "New Jersey Department of Veterans Affairs Act."

2. (New section) There is established in the Executive Branch of the State government a principal department which shall be known as the Department of Veterans Affairs.

3. (New section) As used in this act, P.L. , c. (C.)(pending before the Legislature as this bill):

"Commissioner" means the Commissioner of the Department of Veterans Affairs;

"Department" means the Department of Veterans Affairs established pursuant to this act; and

"Veteran" means any person who has served in any branch of the Armed Forces of the United States for at least 90 days, except that if the term "veteran" is defined differently in any other provision of this act, any other statute, or in any federal statute, that definition shall be applicable for the purposes of those statutes.

4. (New section) The administrator and head of the department shall be a commissioner, who shall be known as the Commissioner of the Department of Veterans Affairs, and who shall be an honorably discharged veteran qualified by training and experience to perform the duties of the office. The commissioner shall be appointed by the Governor with the advice and consent of the Senate and shall serve at the pleasure of the Governor during the Governor's term of office and until the appointment and qualification of the commissioner's successor. The entire time of the commissioner shall be devoted to the duties of the office and the commissioner shall receive such salary as shall be provided by law. Any vacancy occurring in the office of the commissioner shall be filled in the same manner as the original appointment.

5. (New section) The commissioner, as head of the department, shall have all of the functions, powers, and duties heretofore vested in the Administrator of Veterans Affairs of the Department of

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:
[1]Assembly AAP committee amendments adopted June 19, 2025.

Military and Veterans' Affairs, previously designated in N.J.S.38A:3-2, and shall, in addition to the functions, powers, and duties vested in the commissioner by this act, P.L. , c. (C.)(pending before the Legislature as this bill), or by any other law, which are as follows:

a. Administer the work of the department;

b. Appoint and remove officers and other personnel employed within the department, subject to the provisions of Title 11A of the New Jersey Statutes and other applicable statutes, except as herein otherwise specifically provided;

c. Have authority to organize and maintain an administrative division and to assign to employment therein secretarial, clerical and other assistants in the department's or the commissioner's office as the internal operations of the department may require, in accordance with Title 11A of the New Jersey Statutes;

d. Perform, exercise, and discharge the functions, powers, and duties of the department through such divisions as may be established by this act or otherwise by law;

e. 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 commissioner may determine to be necessary for efficient and effective operation;

f. 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 as may be necessary to implement this act or as may be authorized by law;

g. Formulate and adopt rules and regulations for the efficient conduct of the work and general administration of the department, its officers, and its employees;

h. Institute, or cause to be instituted, legal proceedings or processes as may be necessary to properly enforce and give effect to any of the commissioner's powers or duties;

i. Coordinate the activities of the department, and the other divisions and agencies therein, in a manner designed to eliminate overlapping and duplicative functions;

j. Integrate within the department, so far as practicable, all staff services of the department and of the other divisions and agencies therein;

k. Have access to all relevant files and records of other State agencies and require any officer or employee therein to provide information as necessary to assist in performing the functions of the department, subject to any privacy laws;

l. Maintain suitable headquarters for the department and such other quarters as the commissioner shall deem necessary to the proper functioning of the department;

m. Encourage and facilitate the registration of each service member residing in New Jersey with the United States Department of Veterans Affairs, or its successor agency. Registration shall take

place, as appropriate, when the service member returns from deployment on federal active duty, or is discharged, or as soon as possible thereafter. The term "service member" shall mean members of the New Jersey National Guard and members of the United States Armed Forces, or a Reserve component thereof, when the information on each member is made available to the department;

n. Develop and coordinate a volunteer-based program comprised of former service members to assist and mentor veterans who become involved with the criminal justice system, while criminal proceedings are pending and afterward, with accessing assistance to resolve the underlying problems that led or contributed to the veteran's involvement with the criminal justice system including, but not limited to, offering support and guidance, securing housing, employment linkages, job training, education, transportation, disability compensation claims, discharge status, health care, and other linkages available at the local, State, and federal level that can ease the challenge of reentry into civilian life. In addition, the commissioner shall develop a registry of volunteer mentors and make the registry available pursuant to P.L.2017, c.42 (C.2C:43-23 et al.);

o. Prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.);

p. Create a comprehensive public webpage for Gold Star family members that includes, but is not limited to, the following information: State benefits; State and county liaisons; a list of service members from New Jersey killed in action; links to other Gold Star family organizations; and such other information and resources as the commissioner deems necessary and beneficial to a Gold Star family member. A "Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States;

q. Maintain a regional network of Veteran Service Offices to assist veterans and their dependents with information and guidance in filing claims and to assist with employment, education, burial, counseling, housing, social and medical services, and other areas of concern to veterans and their families, as well as provide advice and support to veterans re-entering civilian life; and

r. Perform such other functions as may be prescribed in this act or by any other law.

6. (New section) The commissioner shall appoint at least one deputy commissioner who shall be designated to perform all of the powers, functions, and duties of the commissioner during the

absence or disability of the commissioner, and who shall perform such other duties as are assigned by the commissioner. The deputy commissioner shall be an honorably discharged veteran qualified by training and experience to perform the duties of the office.

7. (New section) The Department of Veterans Affairs, through its regional network of Veteran Service Offices, shall establish a financial planning assistance program for disabled veterans and their caregivers. The purpose of the program shall be to assist disabled veterans and their caregivers with planning for the financial burdens that may arise when a veteran is disabled and needs assistance with daily care and activities including, but not limited to, bathing, dressing, meal preparation, assistance with mobility, housekeeping, shopping, and driving or transportation.

"Caregiver" means a spouse, parent, child, relative or other person who is 18 years of age or older and who has the primary responsibility of providing daily care for the eligible veteran.

"Disabled veteran" means any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service in any branch of the Armed Forces of the United States, a Reserve component thereof, or the National Guard and who has been or shall be declared by the United States Department of Veterans Affairs, or its successor, to have a service-connected disability.

8. (New section) The commissioner may apply for and accept on behalf of the State any grants from the federal government or any agency thereof, or from any foundation, corporation, association, or individual, and may comply with the terms, conditions, and limitations thereof, for any purposes of the department. Any money so received may be expended by the department, subject to any limitations imposed in such grants, to effect any of the purposes of the department, as the case may be, upon warrant of the Director of the Division of Budget and Accounting in the Department of the Treasury on vouchers certified and approved by the commissioner. The power herein granted shall be in addition to, and shall in no way limit the authority granted to the commissioner by, this act, P.L. , c. (C.)(pending before the Legislature as this bill), or any other existing law.

9. (New section) The department shall administer the following principal functions:

a. The supervision and operation of State veterans' memorial homes and cemeteries;

b. The supervision and operation of the liaison office and the field offices which serve the federal Veterans' Affairs Medical Centers;

c. The application for federal grants and programs;

d. The administration of federally-funded training and rehabilitation programs; and

e. The provision of current information to the general public on State and federal veterans' programs and benefits.

Nothing in this section shall be construed as affecting or derogating from any provision of law giving functions, powers, and duties in these areas to other departments or agencies or as giving additional functions, powers, and duties to the commissioner or the department.

10. (New section) The Commissioner of the Department of Veterans Affairs shall determine whether any person seeking to be considered a "veteran" or a "disabled veteran" under N.J.S.11A:5-1, N.J.S.18A:66-2, section 6 of P.L.1954, c.84 (C.43:15A-6) or section 1 of P.L.1983, c.391 (C.43:16A-11.7), meets the criteria set forth therein and shall be considered a veteran or disabled veteran, as appropriate, for the purposes of these laws. The commissioner shall adjudicate an appeal from any person disputing the decision of the commissioner as to whether a person is to be considered a veteran or disabled veteran, as appropriate, for the purposes of these laws. The commissioner shall promptly notify the public entity responsible for administering each such law of the determination of the commissioner, and the determination shall be binding on such public entities.

[1][References in sections 4, 5, and 6 of P.L.2000, c.127 (C.18A:66-2.2, 43:15A-6.1, and 43:16A-11.7a) to the Adjutant General of the Department of Military and Veterans' Affairs shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs.]**[1]**

11. (New section) The personnel of the Department of Veterans Affairs shall consist of the following classes of employees:

a. Classified civil service employees.

b. Unclassified civil service employees, who may be relieved, suspended, or discharged for good cause. Such personnel shall be administered as far as practicable under similar regulations as those applicable to classified civil service.

12. (New section) a. The department shall submit its annual budget request directly to the Governor and the State Treasurer.

b. The commissioner may demand and receive, for the services of the department, except for establishment of veteran status, such fees as the commissioner shall determine. The commissioner shall keep a true record and account of fees received on behalf of the department pursuant to this section and shall pay the same into the State Treasury in the manner prescribed by law.

13. (New section) The commissioner shall have an appropriate seal and have affixed an impression of the same to all certificates of record issued from the Department of Veterans Affairs. Copies of any books, records, papers, and documents in the Department of Veterans Affairs certified by the commissioner or other designated officer of the department, under seal of the Department of Veterans Affairs, shall be admitted as evidence in any court of the State, either civil or military, with the same force and effect as if the original had been produced.

14. (New section) The department, through its divisions, shall administer veteran:

a. administrative services;

b. loans, grants, and services; and

c. training, information, and referrals.

15. (New section) a. A director of a division in the department shall receive such salary as may be established by the commissioner with the approval of the Civil Service Commission and the Director of the Division of Budget and Accounting in the Department of the Treasury.

b. In the event that a director is appointed from persons holding positions in the career service of the State, the director shall retain, during tenure in such position, any rights or protections provided to that person by Title 11A, Civil Service, of the New Jersey Statutes or any pension law or retirement system.

16. (New section) The department, through its divisions, shall:

a. supervise and operate all New Jersey Veterans' Memorial Homes, including: the New Jersey Veterans' Memorial Home-Menlo Park; the New Jersey Veterans' Memorial Home-Vineland; and the New Jersey Veterans' Memorial Home-Paramus;

b. supervise and operate all New Jersey Veterans' Memorial Cemeteries, including the New Jersey Veterans' Memorial Cemetery in Arneytown; and

c. supervise and operate all veterans' homeless shelter facilities owned by the State, including Veterans Haven North and Veterans Haven South.

17. (New section) Any division established or created by the commissioner shall be under the immediate supervision of a director who shall be qualified by training and experience to direct the work of the division. Preference shall be given to honorably discharged veterans qualified by training and experience to perform the duties of the division. The director shall be appointed by the commissioner, and shall serve at the pleasure of the commissioner.

18. (New section) a. As a condition of employment as a direct care staff member at a New Jersey veterans' memorial home, an applicant for employment shall consent to and undergo drug testing for controlled dangerous substances as provided in subsection f. of this section. The drug testing shall be at the expense of the applicant.

If a person applying for employment at a New Jersey veterans memorial home on or after April 16, 2020 tests positive for the unlawful use of any controlled dangerous substance, or refuses to submit to drug testing, the person shall be removed from consideration for employment.

b. A person who is employed at a New Jersey veterans' memorial home as a direct care staff member shall be subject to random drug testing for controlled dangerous substances performed at such intervals as the commissioner deems appropriate. The commissioner shall annually perform random drug tests on 100 direct care staff members.

c. A person who is employed at a New Jersey veterans' memorial home as a direct care staff member may be required to undergo drug testing for controlled dangerous substances if the employee's immediate supervisor has reasonable suspicion to believe that the employee is illegally using a controlled dangerous substance, based on the employee's visible impairment or professional misconduct, which relates adversely to patient care or safety. The supervisor shall report this information to the immediate supervisor in a form and manner specified by the commissioner, and if the supervisor concurs that there is reasonable suspicion to believe that an employee is illegally using a controlled dangerous substance, that supervisor shall notify the chief executive officer of the New Jersey veterans' memorial home, or other executive level officer of the veterans' memorial home designated by the commissioner, and request approval in writing for ordering the employee to undergo drug testing. Drug testing of an employee shall not be ordered without the written approval of the chief executive officer or other executive level officer designated by the commissioner.

d. An employee who tests positive for the unlawful use of any controlled dangerous substance may be referred to employee advisory services, or terminated from employment, as applicable, based on the employee's job title. An employee who refuses to submit to drug testing shall be terminated from employment. In all cases, however, the employee shall retain any available right of review by the Civil Service Commission.

e. The drug testing required pursuant to subsections b. and c. of this section shall be at the expense of the Department of Veterans Affairs.

f. Drug testing shall be performed by an outside drug testing facility in a manner prescribed by the commissioner.

g. The commissioner shall notify all affected employees of New Jersey veterans' memorial homes of the provisions of this section.

h. As used in this section, "direct care staff member" means a: Human Services Technician; Human Services Assistant; physician; psychiatrist; dentist; psychologist; nurse; nurse assistant; physical, occupational, or speech therapist; social worker; and any other staff member employed by a veterans memorial home who provides direct care to a resident at the facility, as determined by the commissioner.

i. Pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the commissioner shall adopt rules and regulations necessary to effectuate the purposes of this section, including, but not limited to, those rules and regulations necessary to ensure the confidentiality of the person undergoing drug testing, and that drug test results are not reported to law enforcement authorities.

19. (New section) The department shall establish a program to oversee the transfer of the remains of veterans from paupers' or potters' cemeteries to the Brigadier General William C. Doyle Veterans' Memorial Cemetery at the request of the veterans' next-of-kin, friends, or fellow veterans. This service shall be provided without cost to the requester. As part of this program, the department shall also inform the general public that this service is available and explain the procedure for requesting that the remains be transferred to the Brigadier General William C. Doyle Veterans' Memorial Cemetery.

20. (New section) a. A funeral director, licensed pursuant to P.L.1952, c.340 (C.45:7-32 et seq.), shall grant a qualified veterans' organization, as defined in subsection b. of section 2 of P.L.1983, c.385 (C.26:7-18.2), the right to receive the cremains of a veteran, or the cremains of an eligible spouse or eligible dependent of a veteran, which have not been claimed by a relative or friend of the deceased within one year after cremation upon certification, to the satisfaction of the Commissioner of Health, that a diligent effort, as defined in subsection a. of section 2 of P.L.1983, c.385 (C.26:7-18.2), has been made to identify, locate, and notify a relative or friend of the deceased within that one-year period, as provided under section 2 of P.L.1983, c.385 (C.26:7-18.2).

A qualified veterans' organization which takes possession of cremains pursuant to this section shall dispose of the cremains by scattering them at sea or by interring them on land in a dignified manner at the State-operated Brigadier General William C. Doyle Veterans' Memorial Cemetery, a State-operated veterans' memorial cemetery, a national veterans' memorial cemetery, or a local

veterans memorial cemetery, if the individual is eligible for interment at those facilities.

b. A funeral home or mortuary, or an agent of the funeral home or mortuary, a funeral director, or a qualified veterans' organization shall not be liable for damages in any civil action arising out of the disposal of cremains pursuant to this section unless the damages are the result of gross negligence or willful misconduct.

21. (New section) The department, through its divisions, shall:

a. administer the Blind Veterans' Allowance Program established pursuant to R.S.38:18-1 et seq.;

b. administer the Paraplegic and Hemiplegic Allowance Program established pursuant to P.L.1947, c.263 (C.38:18A-1 et seq.);

c. maintain a continuous liaison with the Association of Blind Veterans and other similar State and national veterans' associations and organizations;

d. provide all necessary assistance to the Agent Orange Commission upon request;

e. administer the veterans' loan authority established pursuant to P.L.1944, c.126 (C.38:23B-1 et seq.);

f. supervise and operate the liaison and field offices which serve the federal Veterans' Administration Centers at Lyons and East Orange;

g. compete for all grants, private and federal, that would fund programs to benefit the State's veterans and their dependents; and

h. administer State tuition assistance programs for veterans and their dependents established pursuant to the provisions of chapter 71 of Title 18A of the New Jersey Statutes.

22. (New section) The department, through its divisions, shall:

a. administer the operations of the Vietnam Veterans' Outreach Program;

b. administer all federal and State training and rehabilitation programs not administered by other State departments;

c. provide current information to the general public on federal and State veterans' programs and benefits; and

d. provide a continuous liaison between the department, the Department of Education, and the Office of the Secretary of Higher Education to insure that veterans or their dependents seeking to apply for educational programs for veterans or their dependents are referred to the appropriate State office and provided with the information, forms, and assistance necessary to apply for those programs.

23. (New section) a. As used in this section and sections 24 through 36, inclusive, of this act, P.L. , c. (C.)(pending before the Legislature as this bill):

"Advisory council" means the advisory council of a veterans' facility.

"Member" means a person admitted to and receiving care in a veterans' facility.

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

"Veterans' facility" means any home, institution, hospital, or part thereof, the admission to which is under the jurisdiction of the United States Department of Veterans Affairs.

b. Subject to the provisions of this section, the Commissioner of the Department of Veterans Affairs shall be authorized, directed, and empowered to take such actions, and to issue such reasonable rules and regulations, as may be necessary for carrying out the purposes of sections 24 through 36, inclusive, of this act, including specifically to:

(1) provide standards and procedures for the application and determination of eligibility for admission to veterans' facilities;

(2) establish standards and methods for designating the veterans' facility in which an eligible person shall receive care and treatment consistent with available services and individual needs and circumstances;

(3) establish standards of care, treatment, and discipline governing the relationships between the veterans' facilities and persons admitted thereto consistent with and subject to State and federal rules, regulations, and standards of care;

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

(5) negotiate and enter into agreements or contracts with the Veterans Administration or any other appropriate State or federal agency, and to organize the work of the veterans' facilities, giving due regard to the opinion of the advisory councils, in any manner consistent with law to comply with the reasonable requirements of such State and federal agencies, in order to secure the maximum financial assistance and services for carrying out the purposes of sections 24 through 36, inclusive, of this act.

24. (New section) All applications for admission to a veterans' facility shall be made to, and in the manner and form prescribed by, the commissioner. The applicant shall provide a statement that the applicant will accept placement in the facility designated by the commissioner and will abide by the rules, regulations, and discipline of the facility to which the applicant is admitted.

25. (New section) The following persons, if they are without sufficient financial ability to provide for their support and necessary care in the community, may be admitted to a veterans' facility:

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

b. The spouse of any person who has been admitted to a veterans' facility, provided that the spouse is not less than 50 years of age and has been married to such person for a period of not less than 10 years;

c. The surviving spouse of a person who died an honorable death while in the active military service of the United States, or who was a disabled veteran at the time of death, provided that the surviving spouse was the person's spouse at the time of the person's service or was married to the person not less than 10 years prior to the date of application and has not married since the person's death, and provided that the surviving spouse has been a resident of New Jersey for at least two years prior to the date of application; and

d. The parent of a person who was a resident of New Jersey at the time of entry into, and who died an honorable death in time of war or emergency while in, the active military service of the United States, provided that the parent has been a resident of New Jersey for at least two years prior to the date of application.

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

26. (New section) Any disabled veteran who is in distress may be admitted to a veterans' facility for a temporary period in accordance with the rules and regulations promulgated by the commissioner.

27. (New section) A person admitted to a veterans' facility shall be entitled to all of its benefits and be furnished with the clothing, subsistence, medical and surgical attendance necessary to promote the person’s health and welfare in accordance with the rules and regulations of the commissioner.

28. (New section) Any person may be removed from a veterans' facility on being restored the ability to promote the person’s own support and welfare in the community, for immorality, for fraud or willful misrepresentation, or for refusal to abide by the rules, regulations, and discipline of the veterans' facility.

29. (New section) The commissioner may from time to time request that the commissioner of the department overseeing

psychiatric hospitals designate any State hospital for the care of the mentally ill, or a part thereof, as a treatment unit for veterans who require such care and who are eligible for admission to a veterans' facility. Upon making such designation, the commissioner of the appropriate department shall cause to be filed with the Commissioner of the Department of Veterans Affairs and the Secretary of State a certificate setting forth the fact thereof, a description of the precise treatment unit so designated, and its location.

30. (New section) Admission of a veteran to a treatment unit as designated pursuant to section 29 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), shall require:

a. a determination by the appropriate department that such veteran is mentally ill in accordance with the appropriate provisions of Title 30 of the Revised Statutes; and

b. a determination by the Commissioner of the Department of Veterans Affairs that such veteran is eligible for admission to a veterans' facility.

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

31. (New section) The commissioner shall be authorized and empowered to accept and receive funds from the United States Government or any agency thereof, and to accept and receive payments from all members, and their family, relatives, and friends towards the cost of care and treatment as provided in the rules and regulations pertaining thereto.

32. (New section) a. Except in the case of an emergency condition, the commissioner shall not implement a decision to close an existing veterans' facility or to privatize any services, functions, or units of an existing facility if the commissioner finds that the decision shall result in the abolition of 100 or more non-vacant, full-time positions in the career service at the existing facility or facilities affected by the decision, unless the commissioner has complied with the procedures set forth in this section.

b. The commissioner shall conduct at least one public hearing, which shall be held in the region in which the facility is located, or a central location designated by the commissioner if more than one facility is affected by the decision, to provide an opportunity for the public to submit testimony on the proposed closing or privatization. The hearing shall be conducted at least 45 days in advance of a facility closure, or at least 30 days prior to the issuance of a Request for Proposal. For a facility closure, the public hearing shall be held within 15 days of publication of a Notice of Intent to close a facility by the commissioner. The commissioner shall select a publicly

convenient location for the hearing and shall give all persons the opportunity to testify in person or to submit written testimony.

c. The Notice of Intent to close a facility shall be mailed, telephoned, telegrammed, or hand delivered to at least two newspapers for publication, at least one of which shall be within the geographic boundaries of the county where the facility is located. Failure to comply with the requirements of this subsection shall not invalidate or delay any facility closure.

d. The commissioner shall prepare a report setting forth a fiscal impact analysis, policy rationale, and summary of the testimony received at any hearing held pursuant to this section. This report shall be submitted to the chairman of the Joint Budget Oversight Committee within five days of the issuance of a Notice of Intent to Award or within 30 days following the last scheduled public hearing for a facility closure.

33. (New section) The commissioner shall conduct, or contract with another entity to conduct, a series of follow-up studies to assess the well-being of all former residents of State veterans' memorial homes who have made a transition into the community after the effective date of this act, P.L. , c. (C.)(pending before the Legislature as this bill), as a result of implementation of a plan to close a State veterans' memorial home, and also an assessment of the well-being of all former residents for each of the five years after the closure.

The commissioner shall compile the results of the follow-up studies conducted pursuant to this section and shall include this information in a series of reports that the commissioner shall submit to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1).

The report of a follow-up study on the well-being of all former residents of State veterans' memorial homes, who have made a transition into the community after the effective date of this act as a result of the implementation of a plan to close a State veterans' memorial home, shall be submitted one year after the beginning of implementation of the plan, and annually thereafter, until the veterans' memorial home has closed. In addition, for each of the five years after the closure of a home, a report of a follow-up study on the well-being of all former residents of the home shall be submitted.

Reports submitted pursuant to this section shall be made publicly available on the website of the Department of Veterans Affairs.

34. (New section) There are established in the Department of Veterans Affairs four advisory councils known as:

a. The New Jersey Veterans' Memorial Home Advisory Council-Menlo Park;

b. The New Jersey Veterans' Memorial Home Advisory Council-Vineland;

c. The New Jersey Veterans' Memorial Home Advisory Council-Paramus; and

d. The New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown.

Each advisory council shall consist of seven members, at least five of whom are veterans, to be appointed by the commissioner. The term of each council member, except for the initial members, shall be three years commencing on July 1 and ending on June 30 of the third year thereafter, and any vacancy shall be filled for the unexpired term only.

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

35. (New section) Subject to the provisions of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and under general policies established by the commissioner, the advisory councils of the veterans' facilities shall:

a. recommend standards and procedures for application and termination of eligibility for admission to veterans' facilities;

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 needs and circumstances;

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

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

36. (New section) Moneys, choses in action, and effects deposited by a member in trust with the veterans' facility and unclaimed at the death of the member, dying intestate, shall be deemed to be the property of the veterans' facility. Such property shall be held in trust for three years following the death of the depositor, with power to invest the funds and to use the income for the benefit of the members as the advisory council of the veterans' facility and the commissioner deem most advisable.

Upon claim made within three years following the death of the depositor and sustained by legal proof, the sufficiency of which shall be determined by the advisory council of the veterans' facility and the commissioner, such property shall be paid over to the

claimant entitled thereto upon acknowledging, executing, and delivering a proper release and discharge.

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

37. (New section) Subject to the provisions of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and under general policies established by the commissioner, the New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown shall:

a. recommend standards and procedures for application and determination of eligibility for interment in the veterans' cemetery; and

b. advise the commissioner regarding operating policies and procedures as they apply to veterans' family members, funeral directors, and the relationship of the veterans' cemetery with the other veterans' facilities.

38. (New section) In conjunction with the New Jersey Veterans' Memorial Home Advisory Council-Menlo Park, the New Jersey Veterans' Memorial Home Advisory Council-Vineland, the New Jersey Veterans' Memorial Home Advisory Council-Paramus, and the New Jersey Veterans' Memorial Cemetery Advisory Council-Arneytown, any reference in any law, contract, or document to the Adjutant General of the Department of Military and Veterans' Affairs or the department shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs or the Department of Veterans Affairs.

39. (New section) There is established by the department a program to assist an eligible family member of a veteran who is already in a New Jersey veterans' memorial home, or an eligible family member of a veteran who is about to enter such a home, in being appointed as guardian of the veteran. In the event that a family member of a veteran who is already in a New Jersey veterans' memorial home, or is about to enter such a home, is not willing or available to serve as guardian of that veteran, some other interested person closely associated with the veteran shall be eligible for assistance in being appointed as guardian under the program herein established. The assistance provided to a family member of a veteran or to some other interested and eligible person associated with a veteran shall be in the form of both technical and financial support.

The commissioner shall develop economic criteria for determining eligibility for financial assistance pursuant to the program established by this section.

40. (New section) The department shall ensure that each veterans' memorial home shall hold quarterly town hall meetings with all veterans' guardians appointed pursuant to section 39 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and persons otherwise having the veteran's power of attorney. The meetings may take place in-person or remotely using the Internet or other electronic means.

Whenever a public health emergency is declared by the Governor pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), each veteran's guardian appointed pursuant to section 39 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), or each person otherwise having the veteran's power of attorney, shall be allowed to remove the veteran from the veterans' memorial home pursuant to procedures established under Department of Veterans Affairs rules and regulations, except the department shall allow for an initial extension of up to 30 days and one additional extension of up to 30 days. The resident veteran shall be required to continue to pay the care and maintenance fee while on temporary furlough to hold a bed. Regular operating procedures shall resume at the conclusion of the public health emergency.

The department shall ensure that each veterans' memorial home shall communicate updates to each veteran's guardian appointed pursuant to section 39 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), and each person otherwise having the veteran's power of attorney, through a minimum of two communication means, which shall include regular mail, email, text message, and voice.

41. (New section) a. Notwithstanding the provisions of any law, rule, or regulation to the contrary, the Commissioner of the Department of Veterans Affairs shall transmit a weekly report on the status of the State veterans' memorial homes to the Commissioner of the Department of Health whenever a public health emergency, pursuant to the "Emergency Health Powers Act," P.L.2005, c.222 (C.26:13-1 et seq.), has been declared by the Governor and is in effect. The weekly report shall include:

(1) the number of residents and staff in each veterans' home, including comparisons to previous reports;

(2) any significant health risks posed to the residents and staff in each veterans' home due to the public health emergency;

(3) any changes in operating procedures in each veterans' home due to the public health emergency; and

(4) the amount of personal protective equipment available to residents and staff at each veterans' home.

b. As used in this section:

(1) "veterans' home" means the New Jersey Veterans' Memorial Home - Menlo Park, the New Jersey Veterans' Memorial Home - Vineland, and the New Jersey Veterans' Memorial Home - Paramus.

(2) "personal protective equipment" means any items commonly used to protect an individual from bacterial or viral infections, including, but not limited to, disinfecting wipes, disposable gloves, disposable gowns, face shields, N95 face masks, surgical masks, or parts thereof.

42. (New section) a. The Department of Veterans Affairs shall establish a position to be known as a resident advocate at each State veterans' memorial home. The resident advocate shall have a direct reporting relationship to the director of the division that oversees the veterans' memorial homes.

b. The resident advocate shall:

(1) act as a liaison between the State veterans' memorial home and each of the residents at the State veterans' memorial home;

(2) receive complaints from residents at the State veterans' memorial home; and

(3) respond to any concerns or grievances from the residents at the State veterans' memorial home and, if appropriate, submit concerns or grievances to the State Long-Term Care Ombudsman.

c. A resident advocate who receives an oral or written complaint from a resident at a State veterans' memorial home shall log the complaint from the resident on a written or electronic form. The division that oversees the veterans' memorial homes shall develop, publish, and distribute the written and electronic form to be used by the resident advocate. At a minimum, the written and electronic form shall contain spaces for:

(1) the name of the resident submitting the complaint;

(2) the nature of the complaint;

(3) whether the complaint is an emergency that requires an immediate response, a critical situation that requires a reasonably prompt response, or a noncritical situation that requires an appropriately timely response; and

(4) a plan of action for the complaint and an estimated time frame within which the action will be taken.

d. A resident advocate who fills out a form under subsection c. of this section shall provide one copy of the form to the resident submitting the complaint and one copy to the administrator of the State veterans' memorial home. The resident advocate shall also retain the advocate's copy for not less than one year after the complaint is resolved.

e. A State veterans' memorial home shall make every reasonable effort to make the resident advocate at that memorial

home easily identifiable by posting the name and work hours of the resident advocate and shall make every reasonable effort to assure that the plan of action prepared by the resident advocate pursuant paragraph (4) of subsection c. of this section is carried out within the time frame set forth in the plan of action.

43. (New section) a. The department shall organize and administer a program of voluntary commitments by employers throughout the State to participate in a plan of veterans' preference in private employment and reemployment.

b. The plan of veterans' preference in private employment shall provide for the fixing of a quota of veterans by the commissioner for all participating employers, but may not require any employed worker to be discharged. The plan shall also provide for the classification of disabled veterans in occupations for which they would not be handicapped, and for first preference in such occupations for such disabled veterans.

c. In the organization and administration of the employment quota preference plan, the commissioner, through appropriate federal, State and local agencies, shall:

Enroll employers who voluntarily commit themselves to the plan and certify the right of such employers to approved forms of public recognition;

Register veterans desiring employment, according to their occupational experience and capacities;

Register labor unions which are willing to participate through appropriate adjustment of their membership and other requirements, and certify the right of such unions to approved forms of public recognition;

Receive requests for workers from all participating employers; and

Either refer qualified veterans, with preference to the disabled, in response to such requisitions or certify that veterans are not available.

44. (New section) The department shall review and approve or disapprove all policies and work programs of State departments, agencies, and instrumentalities relating to veterans' welfare, services, or activities. No such activity or work program shall be undertaken or continued after disapproval by the department without specific authorization from the Governor.

45. (New section) a. Any dependent of a prisoner of war or a person missing in action, upon being accepted to pursue a course of undergraduate study in any private institution of higher education in this State or in any public institution of higher education of this State as enumerated in N.J.S.18A:62-1, shall be allowed to obtain a bachelor's degree, or certificate of completion, for so long as he is

eligible, free of tuition. Once a person qualifies as a dependent under this section, there shall be no situation such as the return of the parent or the reported death of the parent that will terminate the eligibility of the dependent to receive the benefits under this section.

b. As used in this section:

"Dependent" means any child born before, during, or after the period of time the child's parent was a prisoner of war or a person missing in action, or any child legally adopted or in the legal custody of the parent prior to, during, or after the time the parent was a prisoner of war or a person missing in action.

"Prisoner of war" and "person missing in action" means any person who was a resident of this State at the time he or she entered service in the United States Armed Forces, or whose official residence is within this State, and who, while serving in said United States Armed Forces, has been declared to be a prisoner of war, or to be a person missing in action as established by the Secretary of Defense after January 1, 1960.

46. (New section) a. As used in this section:

"Approved course of study" means any curriculum or any combination of unit courses or subjects pursued at an educational institution which is accepted for Veteran's Educational Assistance pursuant to federal law.

"Approved educational institution" means (1) any academic, professional, or vocational school operating within this State, or (2) any graduate level school operating within the United States, or (3) any academic, professional, or vocational school operating outside of this State; provided that the institution shall have made a prior written agreement to accept the tuition credit and reimbursement provided for in this section; provided, further, that no more than 20% of the eligible veterans under subparagraphs (2) and (3) of this paragraph shall attend an approved educational institution operating outside of this State. To qualify as an "approved educational institution" under this section, an institution shall have been approved for Veteran's Educational Assistance pursuant to federal law.

"Eligible veteran" means any veteran of the Armed Forces of the United States residing in New Jersey who is or was eligible for Veteran's Educational Assistance pursuant to federal law and who (1) was domiciled in New Jersey at the time of induction into the Armed Forces, or (2) has been domiciled in New Jersey for a period of not less than 12 consecutive months prior to the date of application, exclusive of any time spent on active duty.

b. For the purposes of this section:

An institutional trade or technical course offered at a nonaccredited school on a clock-hour basis involving shop practice as an integral part thereof shall be considered a full-time course

when a minimum of 30 hours per week of attendance is required with no more than two and one-half hours of rest periods per week and no more than three hours of supervised study per week allowed;

An institutional course offered at a nonaccredited school on a clock-hour basis in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of 25 hours per week net of instruction, which may include customary intervals not to exceed 10 minutes between hours of instruction, is required and no more than three hours of supervised study per week is allowed;

An institutional trade or technical course offered at an accredited school on a clock-hour basis which leads to a standard trade or technical degree and involves shop practice as an integral part thereof shall be considered a full-time course when a minimum of 22 hours per week of attendance is required with no more than two and one-half hours of rest periods per week and no more than three hours of supervised study per week allowed;

An institutional course offered at an accredited school on a clock-hour basis which leads to a standard trade or technical degree in which theoretical or classroom instruction predominates shall be considered a full-time course when a minimum of 18 hours per week of instruction, which may include customary intervals not to exceed 10 minutes between hours of instruction, is required and no more than two and one-half hours of supervised study is allowed;

An academic high school course requiring 16 units for a full course shall be considered a full-time course when a minimum of four units per year is required, with a unit defined to be not less than 120 60-minute hours or their equivalent of study in any subject in one academic year; and

An institutional undergraduate course offered by a college or university on a quarter- or semester-hour basis shall be considered a full-time course when a minimum of 14 semester hours or the equivalent thereof, for which credit is granted toward a standard college degree, including those for which no credit is granted but which are required to be taken to correct an educational deficiency, is required, except that when the college or university certifies, upon the request of the department, that (1) full-time tuition is charged to all undergraduate students carrying a minimum of less than 14 semester hours or the equivalent thereof or (2) all undergraduate students carrying a minimum of less than 14 semester hours or the equivalent thereof are considered to be pursuing a full-time course for other administrative purposes, then such an institutional undergraduate course offered by the college or university with the minimum number of semester hours shall be considered a full-time course. In the event the minimum number of semester hours is less than 12 semester hours or the equivalent thereof, less then 12 semester hours or the equivalent thereof shall be considered a full-time course.

Each eligible veteran may select an approved course of study at any approved educational institution selected by the veteran, which will accept and retain the veteran as a student or trainee in any field or branch of knowledge which the institution finds him or her qualified to undertake or pursue.

c. Any eligible veteran who desires tuition credit pursuant to this section, within eight years from the date of (a) separation from active duty or (b) March 3, 1976, whichever is later, shall submit an application to the Department of Veterans Affairs which shall be in a form and contain information as the department shall prescribe. The department shall approve the application unless it finds that the veteran is ineligible for or not entitled to tuition credit, or that the veteran's course of study is not approved pursuant to this section, or that the veteran has already been approved. The department shall notify the veteran and the veteran's selected educational institution of the approval of the application.

d. Each eligible veteran shall be entitled to tuition credit pursuant to this section in accordance with the following schedule:

(1) For a period of one semester, or the equivalent thereof in part-time tuition credit, in the case of educational institutions regularly operated on the semester system, for each three months or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during such period of time, the veteran shall be entitled to tuition credit pursuant to this section for a period of eight semesters, or the equivalent thereof in part-time tuition credit. The maximum credit hereunder shall be for a period of eight semesters; or

(2) For a period of one-quarter, or the equivalent thereof in part-time tuition credit, in the case of educational institutions regularly operated on the quarter system, for each two months or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during that period of time, the veteran shall be entitled to tuition credit pursuant to this section for a period of 12 quarters. The maximum credit hereunder shall be for a period of 12 quarters; or

(3) For a period of one and one-half months of any tuition period, or the equivalent thereof in part-time tuition credit, in the case of educational institutions not operated on the quarter or semester system, for each month or fraction thereof of the veteran's service on active duty after December 31, 1960 and before May 7, 1975. If an eligible veteran has served a period of 18 months or more on active duty during that period of time, the veteran shall be entitled to tuition credit pursuant to this section for 36 months of tuition credit, or the equivalent thereof in part-time tuition credit. The maximum credit hereunder shall be for a period of 36 months.

e. If an eligible veteran shall change the veteran's program of study from an educational institution regularly operated on the quarter or semester system, or otherwise, to an educational institution regularly operated on a different system, the remainder of the credit shall accordingly be redistributed by the department in such manner as to carry out the intent of this section.

f. Benefits hereunder shall be in the form of tuition credits limited by the lesser of full tuition or for:

(1) educational institutions regularly operated on the semester system, $200 per semester.

(2) educational institutions regularly operated on the quarter system, $100 per quarter.

(3) educational institutions not regularly operated on the semester or quarter system, $400 per full school year prorated on an equal basis as the Department of Veterans Affairs shall determine.

For veterans pursuing a program of part-time education, the tuition credit shall be in such amounts as the department shall determine. These veterans shall be eligible to receive awards during summer terms, provided that the total award during the period from September 1 to August 31 of any academic year does not exceed the amount of assistance a full-time student at the same institution would receive.

g. Reimbursement for tuition credit shall be made by the State Treasurer to the approved educational institution upon certification by the institution that the veteran is enrolled for the current period and upon certification by the Department of Veterans Affairs that the veteran is both eligible and entitled to tuition credit hereunder subject to the provisions of this section. Reimbursement for tuition credit shall be made out of funds accumulated from the State Lottery.

h. Any benefits granted to eligible veterans pursuant to this section shall not be considered income or an asset in determining financial need for any financial assistance for higher education provided pursuant to Title 18A of the New Jersey Statutes.

i. In the event that the amount appropriated in any fiscal year is insufficient to carry out in full the provisions of this section, the department shall apportion the amount among the eligible veterans applying for tuition credit in proportion to the amount each veteran would be allocated if the full amount were appropriated.

47. (New section) a. As used in this section:

"Vietnam veteran" means a resident of this State who:

(1) served in the Armed Forces of the United States in Southeast Asia in the Vietnam conflict and received a Vietnam Service Ribbon or an Armed Forces Expeditionary Medal;

(2) was honorably discharged or generally discharged under honorable conditions; and

(3) was domiciled in New Jersey on April 9, 1985, for a period of not less than two consecutive years, exclusive of any time spent on active duty.

b. A Vietnam veteran, upon being accepted to pursue a course of study for an initial undergraduate degree in a public institution of higher education of this State as enumerated in N.J.S.18A:62-1, shall be entitled to tuition assistance, while enrolled as a student in good standing at that college, in an amount up to the full tuition cost as determined by the Department of Veterans Affairs pursuant to this section.

c. A Vietnam veteran, upon being accepted to pursue a course of study for an initial undergraduate degree at an independent college or university located in the State, shall be entitled to tuition assistance, while enrolled as a student in good standing at that college or university, in an amount as determined by the Department of Veterans Affairs pursuant to this section, but in an amount not more than the tuition charged at Rutgers, The State University.

d. A tuition award shall not be granted pursuant to this section unless the Vietnam veteran has applied for all other available State or federal student financial aid.

e. Eligibility for this program shall be limited to a period of five years from April 9, 1985. A Vietnam veteran shall be eligible for a tuition award for four academic years, unless the veteran is enrolled in an undergraduate program regularly requiring five academic years for completion, in which case the veteran shall be entitled to a tuition award for a fifth year.

48. (New section) The Department of Veterans Affairs shall provide a link on its website to the directory of public and independent institutions of higher education located on the website of the New Jersey Office of the Secretary of Higher Education. The link shall be placed on the page of the department's website that lists the education benefits available to veterans.

49. (New section) a. This section shall be known and may be cited as the "New Jersey Homeless Veterans Grant Program Law."

b. There is established in the Department of Veterans Affairs the "New Jersey Homeless Veterans Grant Program." The purpose of this program shall be to award grants to organizations that assist homeless veterans in this State from funds appropriated to the department from the "Homeless Veterans Grant Fund" established pursuant to section 4 of P.L.2013, c.239 (C.54A:9-25.33). The grants shall be allocated on a competitive basis, except grants allocated to public or private entities that provide legal services to homeless veterans and veterans at risk of homelessness shall be allocated pursuant to section 50 of P.L. , c. (C.)(pending before the Legislature as this bill). The Commissioner of the

Department of Veterans Affairs shall develop criteria for the granting of awards. An organization that wishes to apply for a grant under this program shall submit an application to the commissioner. The application shall, at the minimum, include a description of how the organization will assist homeless veterans. The commissioner may adopt, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), rules and regulations as may be necessary to effectuate the grant program.

50. (New section) a. This section shall be known and may be cited as the "Homeless Veterans Legal Services Law."

b. Subject to the availability of funds appropriated for this purpose, including but not limited to funding appropriated through section 49 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), the New Jersey Homeless Veterans Grant Program, the Commissioner of the Department of Veterans Affairs shall enter into agreements with public or private entities to fund a portion of the legal services specified in this section, that are provided by such entities to homeless veterans and veterans at risk of homelessness.

c. The commissioner shall ensure that, to the extent practicable, agreements established under this section are made with entities located in the northern, central, and southern regions of the State.

d. Legal services shall include legal services provided by public or private entities that address the needs of homeless veterans and veterans at risk of homelessness as follows:

(1) Legal services related to housing, including eviction defense, representation in landlord-tenant cases, and representation in foreclosure cases.

(2) Legal services related to family law, including assistance in court proceedings for child support, divorce, estate planning, and family reconciliation.

(3) Legal services related to income support, including assistance in obtaining public benefits.

(4) Legal services related to criminal defense, including defense in matters symptomatic of homelessness, such as outstanding warrants, fines, and driver's license revocation, to reduce recidivism and facilitate the overcoming of reentry obstacles in employment or housing.

(5) Such other legal services as the commissioner deems appropriate.

d. In developing and carrying out agreements under this section, the commissioner shall, to the extent practicable consult, with veterans service organizations, and coordinate appropriate outreach relationships with such organizations.

e. The commissioner may require entities that enter into agreements under this section to submit periodic reports on legal

services provided to homeless veterans and veterans at risk of homelessness.

51. (New section) a. The Commissioner of the Department of Veterans Affairs shall provide county prosecutors with a registry of volunteer mentors developed pursuant to subsection (o) of section 5 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), to facilitate the assignment of mentors to eligible service members who have been admitted by the prosecutor into the Veterans Diversion Program established pursuant to P.L.2017, c.42 (C.2C:43-23 et al.). A copy of the registry shall also be provided to the Administrative Director of the Courts to facilitate the assignment of mentors to eligible service members who have been sentenced to a term of probation supervision. The registry of mentors shall be periodically updated by the Department of Veterans Affairs.

b. The Commissioner of the Department of Veterans Affairs shall also prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).

52. (New section) a. There is created in the Department of Veterans Affairs, the Commission on Women Veterans. The commission shall work in collaboration with other State agencies and appropriate groups to study and review the needs, priorities, programs, and policies relating to women veterans, including, but not limited to, housing, health care, job training, and outreach. The commission shall ensure that all service providers and citizens are aware of the needs and services available to women veterans and make recommendations for community education and training programs. The commission shall provide outreach in conjunction with the Department of Veterans Affairs and other organizations to educate and recruit prospective veterans.

b. The commission shall consist of 15 members who are New Jersey residents. The Governor shall appoint 12 members and, of the 12 appointed, nine shall be women. There shall be appointed one representative from each of the following branches of military service who may also be affiliated with an organization named below: the Army; the Air Force; the Coast Guard; the Marines; and the Navy. There shall also be appointed by the Governor, one representative from the Veterans of Foreign Wars, one representative from the American Legion, one representative from the Disabled American Veterans, one representative from the American Veterans, one representative from the New Jersey Army National Guard, one representative from the New Jersey Air National Guard, and one representative from the Military Order of the Purple Heart. The Commissioner of the Department of Veterans Affairs, the Commissioner of Labor and Workforce Development,

and the Director of the Division on Women in the Department of Children and Families, or their respective designees, shall serve as ex-officio members.

c. The public members shall serve for terms of three years and until the appointment and qualification of their successors, except that of the initial appointment of public members, four shall be appointed for a term of three years, four shall be appointed for a term of two years, and four shall be appointed for a term of one year.

If any public member discontinues affiliation with the respective veterans' organization, the member shall immediately resign membership with the commission.

Any vacancy in the membership of the commission shall be filled in the same manner as the original appointments are made.

d. The members of the commission shall serve without compensation, but may be reimbursed for necessary and reasonable expenses incurred in the performance of their duties within the limits of funds appropriated or otherwise made available to the commission for its purposes.

e. The commission shall organize as soon as may be practicable after the appointment of a majority of its members and shall select from among its members a chairperson and a vice chairperson, who shall be responsible for the coordination of all activities of the commission. The members shall select a secretary, who need not be a member of the commission.

f. The commission shall meet at the call of the chairperson and hold hearings at such places as it shall designate. A meeting of the commission may also be called upon the request of eight of the commission members, and eight members of the commission shall constitute a quorum at any meeting thereof. The commission shall meet not less than quarterly.

g. The commission may conduct public hearings at such places and at such times as it shall designate, at which it may solicit the testimony of interested persons, groups, and the general public.

h. The commission shall be entitled to call to its assistance and avail itself of the services of such employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes. The Department of Veterans Affairs shall provide such organizational and personnel support as the commission may request.

i. The commission shall prepare and submit an initial report to the Governor, the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), and the **[1]**[Deputy]**[1]** Commissioner of the Department of Veterans Affairs.

j. The commission shall prepare and submit annual reports containing its findings, activities, and recommendations, including any recommendations for administrative and legislative action that

it deems appropriate, to the Governor, the Legislature, and the Commissioner of the Department of Veterans Affairs.

The commission shall periodically advise the [1]**[**Deputy**]**[1] Commissioner of the Department of Veterans Affairs on its activities, findings, and recommendations.

53. (New section) a. The Department of Veterans Affairs shall create and maintain a registry of all organizations that provide services to military veterans. The registry shall be prominently displayed, and organized topically, on a public webpage of the department to provide a comprehensive listing of organizations with services addressing the needs of veterans. The department shall actively seek out organizations to include on the registry, and organizations may also voluntarily submit requests to be included on the registry.

The department shall conduct a review of any organization prior to the organization's inclusion on the registry, and the department may, in its discretion, refuse to include an organization on the registry or remove an organization from the registry if the department determines that the organization's services do not reflect the purpose of the registry. Inclusion on the registry shall not be construed to be an endorsement of an organization by the department or State.

b. As used in this section, "organizations that provide services to veterans" includes any organization, not for profit or otherwise, exclusively providing services to veterans or primarily providing services to veterans, or any organization that provides services to a variety of recipients including veterans.

54. (New section) a. There is created within the Department of Veterans Affairs two advisory councils to be known as Veterans Haven North Council and Veterans Haven South Council. The Veterans Haven North Council shall represent the northern facility and the Veterans Haven South Council shall represent the southern facility. The two councils shall have joint meetings no less than once each calendar year.

Each council shall consist of eight members, at least five of whom shall be veterans, and shall include no less than two women. A Deputy Commissioner of the Department of Veterans Affairs, or a designee, shall serve as a nonvoting ex-officio member on each council. Each member shall be appointed by the commissioner. The term of each council member shall be three years, except that, of the first appointments, two shall be for a term of one year, two for a term of two years, and three for a term of three years. At no time shall a member be allowed to serve more than two terms in the aggregate, or on both councils at the same time.

b. The members of each council shall nominate a chairperson by majority vote of the members, and four members shall constitute

a majority. The chairperson of each council shall be its presiding officer and shall serve until a successor has been nominated by the council.

c. Any vacancy shall be filled for the unexpired term only. Members of the council shall be subject to removal by the commissioner at any time for good and sufficient cause.

d. The members of the council shall receive no compensation for their services, but shall be reimbursed for actual expenditures incurred in the performance of their duties within the limits of funds appropriated or otherwise made available for this purpose.

55. (New section) Under general policies established by the commissioner, each Veterans Haven council shall:

a. formulate comprehensive policies for the coordination of all services for the benefit of veterans housed at the Veterans Haven facilities;

b. consult with and advise the Deputy Commissioner of the Department of Veterans Affairs and the Director of Veterans' Services with respect to the work of each Veterans Haven facility;

c. recommend standards and procedures for application and termination of eligibility for admission to each Veterans Haven facility; and

d. recommend standards of care, treatment and discipline governing the relationship between each Veterans Haven facility and the persons admitted thereto.

56. (New section) The Department of Veterans Affairs shall establish a program to provide assistance to qualified veterans in in-patient and out-patient treatment programs with travel to attend medical counseling appointments for service-connected conditions approved and authorized by the United States Department of Veterans Affairs within this State.

The department shall:

a. develop, in cooperation with the New Jersey Transit Corporation and the United States Department of Veterans Affairs, a program to provide reimbursement, subject to available State or federal funding, to qualified veterans who spend their own funds to travel on public transportation to and from medical counseling appointments for service-connected conditions within the State using any motor bus or rail passenger service conducted by the corporation when the veteran is not otherwise eligible for payment for travel or reimbursement by means of any existing State or federal program;

b. develop, in cooperation with the United States Department of Veterans Affairs, a program to provide reimbursement to qualified veterans who spend their own funds to travel using private transportation to and from medical counseling appointments for service-connected conditions within the State by reimbursing on a

per mile basis their operation of a privately-owned conveyance when that veteran is not otherwise eligible for payment for travel or reimbursement by means of any existing State or federal program, provided that the qualified veteran shall not use a for-hire private entity that charges for transportation unless such transportation is necessary for the qualified veteran due to a service-connected injury or disability for which the veteran has a certified rating provided by the United States Department of Veterans Affairs which prevents or hinders his or her ability to operate a privately-owned conveyance;

c. develop, in coordination with the United States Department of Veterans Affairs, a system for monitoring veterans who have applied for reimbursement;

d. notify the general public and eligible veterans that the program established by this section is available to qualified veterans; and

e. adopt such rules and regulations as may be necessary to effectuate the purposes of this section.

57. (New section) a. The Department of Veterans Affairs, in consultation with the Division of Travel and Tourism in the Department of State and the New Jersey Historical Commission, shall develop and maintain a website providing information detailing war battles fought and places of historic significance to the military or war efforts in New Jersey. The website shall: (1) specify the date and location, and describe the importance, of each battle that took place on lands within the State or in State waters; and (2) identify, and describe the importance of, locations within the State or in State waters that are, or have been, significant to the military or war efforts, such as those locations used for military operations or training or those locations which house, berth, or preserve historic military equipment, vehicles, or vessels, including battleships, fighter planes, and tanks. The information on the website shall be available as a list and in an online tour format, and shall include, but need not be limited to, information pertaining to battles fought and places that are of historic significance to military actions or war efforts undertaken during the Revolutionary War, the War of 1812, the Mexican-American War, the Civil War, the Spanish-American War, World War I, World War II, the Korean War, and the Vietnam War.

b. The department shall be entitled to call to its assistance and avail itself of the services of the employees of any State, county, or municipal department, authority, board, bureau, commission, agency, or entity, or of Rutgers, The State University, or any other public institution of higher education in the State, as it may require and as may be available to it for the purpose of carrying out its duties under this act, P.L. , c.)(pending before the Legislature as this bill).

58. (New section) The Legislature finds and declares that:

a. Residents of New Jersey have answered the call to fight for our country many times as members of the United States military and as members of the New Jersey National Guard.

b. Throughout history, New Jersey residents have made the ultimate sacrifice for their country and have given their life for our freedom.

c. The family members left behind after the untimely deaths of these brave service members, known as Gold Star family members, are often left with emotional wounds who need the caring intervention of a mental health professional to grieve and learn to live with the new reality of their loved one's passing.

d. The United States Department of Veterans Affairs has taken the lead to provide mental health care to veterans and certain family members with the establishment of the Care Enough to Share program, which links mental health professionals with an opportunity to volunteer their time and talents to help the nation's veterans and certain family members by providing mental health counseling.

e. It is honorable and necessary that the State of New Jersey assist these Gold Star family members in their grief by establishing programs that can link mental health care professionals with the family members to provide the needed mental health care free of charge to the families.

59. (New section) As used in this section and section 60 of this act, P.L. , c. (C.)(pending before the Legislature as this bill):

"Gold Star family member" means an individual who is a New Jersey resident and is the surviving spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole blood or the half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States.

"Mental health care professional" means a person who provides mental health services and is licensed or otherwise authorized, pursuant to Title 45 of the Revised Statutes, to practice a health care profession that is regulated by one of the following: the State Board of Medical Examiners; the State Board of Psychological Examiners; the State Board of Social Work Examiners; the State Board of Marriage and Family Therapy Examiners; the Alcohol and Drug Counselor Committee; the Professional Counselor Examiners Committee; or the Certified Psychoanalysts Advisory Committee.

60. (New section) There is established in the Department of Veterans Affairs the "Gold Star Family Counseling Program." The purpose of this program is to link mental health care professionals

with Gold Star family members to facilitate the provision of mental health counseling free of charge to Gold Star family members. The Commissioner of the Department of Veterans Affairs shall create and implement the "Gold Star Family Counseling Program" as follows:

a. The department shall recruit mental health care professionals to donate professional counseling hours to provide mental health counseling to Gold Star family members. The department may coordinate the recruitment efforts with the federal Department of Veterans Affairs.

b. The department shall coordinate with the federal Department of Veterans Affairs to maintain a list of mental health care professionals who are available to provide professional mental health counseling hours to Gold Star family members.

c. The department shall maintain and distribute the list of available mental health care professionals on a Statewide basis and shall distribute the list of available mental health care professionals to each county veteran service office for the distribution thereof.

d. The department shall create a system for monitoring and verifying the donated hours to facilitate the tax credit provided to mental health care professionals pursuant to section 6 of P.L.2017, c.174 (C.54A:4-16).

e. The department shall provide documentation annually to the mental health care professional for submission to the Department of the Treasury to verify the amount of tax credit the mental health care professional is eligible to request annually pursuant to section 6 of P.L.2017, c.174 (C.54A:4-16). The amount of annual tax credit shall be determined by the department as the sum of the hours of donated counseling provided to the Gold Star family member multiplied by the documented compensation rate applied to these hours. To determine the compensation rate, the department shall use the calendar year TRICARE rate for the service provided in the geographic location in which the service is provided. The department shall limit the cumulative hours which are authorized for the annual tax credit to a minimum of 20 hours and a maximum of 40 hours per year, per professional.

f. All mental health care professionals volunteering for the "Gold Star Family Counseling Program" established pursuant to this section shall be immune from civil liability as provided in P.L.1991, c.270 (C.2A:62A-16 et seq.).

g. The department may apply for and accept on behalf of the State any grants from the federal government or any agency thereof, or from any foundation, corporation, association, or individual, except for education grants or federal funds for education grants, and may comply with the terms, conditions, and limitations thereof, to develop and implement the "Gold Star Family Counseling Program" established pursuant to this section. Any money so received may be expended by the department, subject to any

limitations imposed in such grants, upon warrant of the Director of the Division of Budget and Accounting of the Department of the Treasury.

61. (New section) a. The department shall maintain a list of each person possessing a Gold Star Family license plate, issued pursuant to section 2 of P.L.2011, c.17 (C.39:3-27.142), and each person holding a driver's license or identification card with a Gold Star Family designation, issued pursuant to section 1 of P.L.2013, c.165 (C.39:3-10f6) or section 2 of P.L.1980, c.47 (C.39:3-29.3), respectively. The department shall distribute the list to the appropriate representative of a State veteran service entity in each county.

b. It shall be unlawful for any person to:

(1) have in the person's possession any canceled, fictitious, fraudulently altered, or fraudulently obtained driver's license or identification card with a Gold Star Family designation;

(2) lend a driver's license or identification card with a Gold Star Family designation to any other person or knowingly permit the use thereof by another;

(3) display or represent a driver's license or identification card with a Gold Star Family designation not issued to the person as being the person's card;

(4) permit any unlawful use of a driver's license or identification card with a Gold Star Family designation issued to the person;

(5) photograph, photostat, duplicate, or in any way reproduce a driver's license or identification card with a Gold Star Family designation, or facsimile thereof, in such a manner that it could be mistaken for a valid driver's license or identification card with a Gold Star Family designation, or to display or have in the person's possession any such photograph, photostat, duplicate, reproduction, or facsimile; or

(6) alter a driver's license or identification card with a Gold Star Family designation in any manner.

c. A person who violates any provision of subsection b. of this section shall be liable to a civil penalty of $1,000. The civil penalty shall be collected pursuant to the "Penalty Enforcement Law of 1999," P.L.1999, c.274 (C.2A:58-10 et seq.), in a summary proceeding before the municipal court having jurisdiction.

62. (New section) a. (1) Upon receipt of the notice from the United States Department of Defense of the death of a service member who resided in this State and whose surviving beneficiary resides in this State, the Department of Veterans Affairs shall notify, no later than ten working days, the appropriate county veterans' affairs office, or county designee, and the appropriate State veterans’ service office. The State office shall provide the surviving beneficiary of a deceased service member with a

comprehensive packet containing information on all federal and State benefits for which the surviving beneficiary may be eligible. The department shall develop the packet and provide all State veterans service offices with a supply of packets for distribution.

This section shall also apply when a deceased service member is not a resident of this State, but whose surviving beneficiary is a resident of this State, if that information is known.

(2) Every county veterans' affairs office shall have a designated Gold Star family member liaison. The liaison may be a volunteer or a Gold Star family member. The liaison shall, in conjunction with the State veterans' service offices, assist Gold Star families to access the services they are entitled to by providing information on State benefits, Gold Star family organizations, and such other resources deemed necessary and beneficial to a Gold Star family member.

b. For the purpose of this section:

"Child" means the individual who is a son or daughter by birth or adoption.

"Deceased service member" means any member of the Armed Forces of the United States a Reserve Component thereof, or a member of the National Guard who dies as a result of enemy action, accident, or disease while on federal active duty, including active duty for training.

"Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption, of a member of the Armed Forces of the United States or the National Guard who died while on active duty for the United States.

"Parent" means the individual who is a father or mother by birth or adoption.

"Spouse" means the individual to whom the deceased service member was legally married at the time of the member's death.

"Surviving beneficiary" means the spouse, child, or parent of a deceased service member who resides in this State.

63. (New section) a. There is hereby established in the Department of Veterans Affairs the New Jersey Commission on Veterans Benefits, consisting of 13 members as follows:

(1) the Commissioner of the Department of Veterans Affairs, or their designee, who shall serve as chairperson;

(2) the Commissioner of the Department of Human Services, or a designee;

(3) the Commissioner of the Department of Health, or a designee;

(4) the Commissioner of the Department of Community Affairs, or a designee;

(5) the Commissioner of the Department of Education, or a designee;

(6) the Commissioner of the Department of Labor and Workforce Development, or a designee;

(7) the Secretary of State, or a designee;

(8) the Attorney General, or a designee; and

(9) five public members who are residents of this State and who are veterans, as defined under section 3 of this act, P.L. , c. (C.)(pending before the Legislature as this bill), one to be appointed by the Governor, and four to be appointed one each by the President of the Senate, the Senate Minority Leader, the Speaker of the General Assembly, and the Assembly Minority Leader. At least two of the five public members shall be women veterans.

The public members of the commission shall serve for terms of three years and until the appointment and qualification of their successors, except that of the initial appointment of public members, three shall be appointed for a term of three years, and two shall be appointed for a term of two years. Any vacancy in the membership of the commission shall be filled in the same manner as the original appointments are made.

b. The commission shall organize as soon as practicable after the appointment of a majority of its members and shall select from among its members a chairperson. The members shall select a secretary, who need not be a member of the commission. Thereafter, the commission shall meet quarterly and at the call of the chairperson. A meeting of the commission may also be called upon at the request of seven of the commission members, and seven members of the commission shall constitute a quorum at any meeting thereof. The commission may conduct public hearings at such places and at such times as it shall designate, at which it may solicit the testimony of interested persons, groups, and the general public.

c. The commission shall be entitled to call to its assistance and avail itself of the services of employees of any State, county, or municipal department, board, bureau, commission, or agency as it may require and as may be available to it for its purposes. The Department of Veterans Affairs shall provide such organizational and personnel support as the commission may request. All departments and agencies of the State shall furnish such advice and information, documentation, and assistance to the commission as is deemed necessary or desirable by the commission to facilitate its purposes.

d. The members of the commission shall serve without compensation, but the public members may be reimbursed for necessary and reasonable expenses incurred in the performance of their duties within the limits of funds appropriated or otherwise made available to it for its purposes.

64. (New section) a. It shall be the duty of the New Jersey Commission on Veterans Benefits to develop, maintain, and annually update a five-year Statewide veterans' benefits strategic plan that includes goals and measurable outcomes to ensure that all State departments and agencies are effectively delivering comprehensive services and support for veterans and their families in this State.

b. In developing and updating the strategic plan, the commission shall conduct an analysis to identify the various programs and benefits provided by the State to the veteran population, and to evaluate those programs to assess their status and effectiveness. Areas of analysis shall include, but need not be limited to, each existing program's status, successes, and challenges in addressing the veteran population's: (1) access to benefits; (2) educational, job skills, employment, and business opportunities; (3) physical and behavioral health and long-term healthcare options; (4) criminal justice issues; (5) housing opportunities and homelessness; and (6) special needs as determined by the commission. The strategic plan shall be based upon comprehensive data gained through open and transparent engagement with State departments and agencies and veterans' stakeholders.

c. The commission shall develop recommendations to be submitted to the Governor and the Legislature to address any deficiencies in the provision of benefits and services to veterans in this State. The recommendations shall specifically address whether the existing State programs, services, and resources are adequate to meet the veteran population's existing needs; are being used to fulfill objectives in a manner that complements and leverages State, federal, and private resources; and how they may more effectively deliver veteran services to all current and future veterans in the State of New Jersey.

d. The commission shall prepare and submit an initial five-year strategic plan to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1). Thereafter, the commission shall prepare and submit annual reports to the Governor and the Legislature containing its findings, activities, and recommendations, including any recommendations for administrative and legislative action that it deems appropriate.

65. (New section) a. All former service members of the Armed Forces who were separated from the service with a general or other than honorable discharge due solely to their sexual orientation, or gender identity or expression, may request that the Department of Veterans Affairs assist them to have the designation on the discharge changed and recorded as honorable.

b. The Department of Veterans Affairs shall:

(1) create, publish, and distribute material to all public agencies of the availability of the assistance; and

(2) create a consistent and uniform process to assist a former service member with the appropriate and necessary forms and conditions prescribed by federal law, so that service member may petition the United States Department of Veterans Affairs, or its successor agency, to change the designation on the discharge to honorable.

At no time shall a fee be charged to a former service member for seeking assistance to have the designation on the discharge changed to honorable.

c. A former service member who has the designation of discharge changed to honorable shall be afforded the same rights, privileges, and benefits authorized by State law to service members who were honorably discharged.

d. Information related to the change in the designation of a discharge, including, but not limited to, a request for assistance, shall be confidential and not accessible to the public as a government record pursuant to P.L.1963, c.73 (C.47:1A-1 et seq.).

e. The commissioner shall, in accordance with the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt any rules and regulations as the commissioner deems necessary to carry out the provisions of this section.

66. (New section) The commissioner may procure and issue such service medals, ribbons, clasps, or similar devices as are authorized by the Legislature to be awarded to residents of the State of New Jersey, who served on active duty in time of war or emergency or who served as members of the American Merchant Marine during World War II, and are declared by the United States Department of Defense to be eligible for federal veterans' benefits.

67. (New section) a. The Governor may present in the name of the State of New Jersey a POW-MIA medal of appropriate design, and ribbon to be worn in lieu thereof, to:

(1) any person who, on the date of induction into the organized militia or federal military service, was a resident of this State and who, while serving in the organized militia or in federal military service on active duty in a combat theater of operation during time of war or emergency, shall have been officially listed as a prisoner of war or missing in action by the United States Department of Defense; or

(2) any person who, on the date of induction into the organized militia or federal military service, was not a resident of this State but currently resides in this State or was a resident at time of death and who, while serving in the organized militia or in federal military service on active duty in a combat theater of operation during time of war or emergency, shall have been officially listed as a prisoner of war or missing in action by the United States Department of Defense; and

(3) was taken prisoner and held captive or declared missing in action: (a) while engaged in an action against an enemy of the United States; (b) while engaged in military operations involving conflict with an opposing foreign force; or (c) while serving with friendly forces engaged in an armed conflict against an opposing force in which the United States is not a belligerent party.

b. The period of creditable military service must include the period of captivity from date of capture through date of release. While no minimum time period of captivity exists as eligibility criteria for the medal, the Department of Veterans Affairs should determine each case on its merits.

c. The medal shall be issued only to those taken prisoner by foreign armed forces that are hostile to the United States, under circumstances which the commissioner, or a designee, finds to have been comparable to those under which persons have generally been held captive by enemy armed forces during periods of armed conflict.

d. Any person convicted by a United States military tribunal of misconduct or a criminal charge or whose discharge is less than honorable based on actions while a POW-MIA is ineligible for the medal. Any POW-MIA whose conduct was not in accord with the Code of Conduct, and whose actions are documented by United States military records, is ineligible for the medal. Resolution of questionable cases shall be the responsibility of the commissioner or a designee.

e. No more than one medal shall be awarded. For subsequent acts justifying award of the medal, service stars shall be awarded and worn on the suspension and service ribbon of the medal. A period of captivity terminates on return to United States military control. Escapees who do not return to United States military control and are recaptured by an enemy do not begin a new period of captivity for subsequent award of the medal.

f. The medal may be awarded for a deceased person or a person absent as a prisoner of war or missing in action and, when so directed, may be presented to such representatives, as the commissioner considers appropriate, who submit all of the required forms and documentation on behalf of that person.

Return of remains, in and of itself, does not constitute evidence of POW-MIA status.

g. The Department of Veterans Affairs shall receive requests for, and issue, the medal to eligible individuals or their next-of-kin, who shall use the “Department of Veterans Affairs application for award/program" application, attaching a copy of DD Form 214 or WD Form 53 and death certificate copy, if applicable.

h. There is created in the Department of the Treasury a special, non-lapsing fund to be known as the "POW-MIA Medal Fund." There shall be deposited into the fund the amounts made available for the purposes of the fund and monetary donations that may be

received from any source for the purposes of the fund and any interest earned thereon. Monies deposited in the fund shall be dedicated for the design, manufacture, and distribution of the medal.

[1]**[**68. (New section) a. References in R.S.38:20-3 concerning educational grants for war orphans; section 2 of P.L.1999, c.276 (C.34:1B-176) concerning information for veterans on the assistance programs of the New Jersey Economic Development Authority; section 44 of P.L.2003, c.79 (C.27:23-47) concerning the maintenance of the Vietnam Veterans' Memorial; section 2 of P.L.1999, c.92 (C.54A:9-25.16) concerning the Korean Veterans' Memorial Fund; and section 3 of P.L.2003, c.105 (C.26:2H-94) concerning certain health care facilities, to the Adjutant General and the Department of Military and Veterans' Affairs shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs and the Department of Veterans Affairs.

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

The Veterans' Services Council, established pursuant to P.L.1948, c.448 (C.13:1B-20 et seq.), together with all its functions, powers, and duties, is transferred to the Department of Veterans Affairs.

c. References in section 2 of P.L.1989, c.334 (C.18A:73-20.3) concerning collections by the New Jersey State Museum; section 1 of P.L.2001, c.302 (C.18A:7C-4.1) concerning the "Operation Recognition" program; section 16 of P.L.1974, c.30 (C.19:31-6.4) concerning voter registration forms; and section 1 of P.L.1999, c.120 (C.27:1A-5.16) concerning the Blue Star Memorial Highway Council to the Adjutant General and the Department of Military and Veterans' Affairs shall be deemed to mean and refer to the Commissioner and the Department of Veterans Affairs.

d. Whenever any statute shall refer to veterans' matters in the Department of Veterans Services and Defense, the same shall mean and refer to the Department of Military and Veterans' Affairs. Whenever any statute refers to veterans' matters in the Department of Military and Veterans' Affairs, the same shall mean and refer to the Department of Veterans Affairs.**]**[1]

[1]<u>68. (New section) a. References in the following to the Adjutant General and the Department of Military and Veterans' Affairs shall be deemed to mean and refer to the Commissioner of the Department of Veterans Affairs and the Department of Veterans Affairs:

R.S.38:20-3 concerning educational grants for war orphans;</u>

section 2 of P.L.1999, c.276 (C.34:1B-176) concerning information for veterans on the assistance programs of the New Jersey Economic Development Authority;

section 44 of P.L.2003, c.79 (C.27:23-47) concerning the maintenance of the Vietnam Veterans' Memorial;

section 2 of P.L.1999, c.92 (C.54A:9-25.16) concerning the Korean Veterans' Memorial Fund;

section 3 of P.L.2003, c.105 (C.26:2H-94) concerning certain health care facilities;

section 2 of P.L.2005, c.59 (C.38A:3-2.5) concerning the World War II Memorial Commission;

P.L.1988, J.R. No. 20 concerning placards bearing the designation “Brigadier General William C. Doyle Veterans’ Memorial Cemetery;”

section 2 of P.L.1989, c.334 (C.18A:73-20.3) concerning collections by the New Jersey State Museum;

section 1 of P.L.2001, c.302 (C.18A:7C-4.1) concerning the "Operation Recognition" program;

section 16 of P.L.1974, c.30 (C.19:31-6.4) concerning voter registration forms; and

section 1 of P.L.1999, c.120 (C.27:1A-5.16) concerning the Blue Star Memorial Highway Council.

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

The Veterans' Services Council, established pursuant to P.L.1948, c.448 (C.13:1B-20 et seq.), together with all its functions, powers, and duties, is transferred to the Department of Veterans Affairs.

c. References in section 4 of P.L.2001, c.246 (C.App.A:9-67) concerning the Domestic Security Preparedness Task Force and section 24 of P.L.2005, c.222 (C.26:13-24) concerning the State Public Health Emergency Claim Reimbursement Board to the Adjutant General of the Department of Military and Veterans’ Affairs shall be deemed to mean and refer to the Adjutant General of the Department of Military Affairs.

d. Whenever any statute shall refer to veterans' matters in the Department of Veterans Services and Defense, the same shall mean and refer to the Department of Veterans Affairs.

e. Whenever, in any law, rule, regulation, order, contract, document, judicial or administrative proceeding or otherwise, reference is made to the to the Department of Military and Veterans’ Affairs, the same shall mean and refer to the Department of Veterans Affairs.[1]

69. (New section) The transfers made by this act, P.L. , c. (C.)(pending before the Legislature as this bill), shall be made in

accordance with the "State Agency Transfer Act," P.L.1971, c. 375 (C.52:14D-1 et seq.).

The programs developed within the Department of Military and Veterans' Affairs prior to the effective date of this act shall be continued and transferred to the Department of Veterans Affairs in accordance with, or as provided by, this act.

The councils and commissions, together with all their functions, powers, and duties, are continued and transferred from the Department of Military and Veterans' Affairs to the Department of Veterans Affairs in accordance with, and as provided by, this act. This act shall not affect the terms of office of the members of the councils and commissions serving on the effective date.

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

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

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

(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.1988, c.138, s.2)

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

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

(cf: P.L.1988, c.138, s.4)

72. Section 1 of P.L.1987, c.444 (C.38A:3-1.1) is amended to read as follows:

1. The Legislature finds and declares:

a. Since the establishment of this State more than 200 years ago, New Jersey's veterans have maintained their proud allegiance to the United States and have fought and died to preserve and protect our freedom and way of life;

b. Presently there are approximately 900,000 veterans with service in time of war or conflict residing in New Jersey, including more than 10,000 World War I veterans, 406,000 World War II veterans, 202,000 veterans of the Korean conflict, 203,000 veterans of the Vietnam conflict, 30,000 women veterans, and veterans of the Lebanon and Grenada peacekeeping missions;

c. The Departments of Higher Education, Human Services, Labor, and Treasury provide special services and benefits to these veterans and their dependents;

d. The Department of Human Services, which is the principal government agency that serves this State's veterans, has done an especially commendable job attending to this special group of residents; and

e. **[**Yet while 23 states in the United States have a separate cabinet-level Department of Veterans' Affairs, New Jersey lacks an executive department which is concerned primarily with the needs and problems of veterans in this State; **]** (Deleted by amendment, P.L. , c.)(pending before the Legislature as this bill)

f. It is in the public interest to incorporate various services and programs which pertain specifically to veterans and their dependents into an executive department which can serve their needs more efficiently than is possible at present.

(cf: P.L.1987, c.444, s.1)

73. Section 33 of P.L.1988, c.138 (C.38A:3-1a) is amended to read as follows:

33. Whenever any statute shall refer to **[1]**military matters in**[1]** the Department of Defense or the Department of Veterans' Affairs and Defense, the same shall mean **[1]**and refer to**[1]** the Department of Military **[**and Veterans'**]** Affairs; except as provided in section 69 of P.L. , c. (C.)(pending before the Legislature as this bill).

(cf: P.L.1988, c.138, s.33)

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

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

a. "Department"**]**, "department" means the Department of Military **[**and Veterans'**]** Affairs established pursuant to N.J.S.38A:3-1 et seq., as amended**[**;

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

(cf: P.L.1988, c.138, s.3)

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

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

(a) The Adjutant General;

(b) The deputy adjutant general;

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

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

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

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

(g) State headquarters for selective service; and

(h) The organized militia**[**;**]** .

(i) **[**The Administrator of Veterans' Affairs;**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(j) **[**The Director of the Division of Veterans' Administrative Services;**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(k) **[**The Director of the Division of Veterans' Loans, Grants and Services; and**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(l) **[**The Director of the Division of Veterans' Training, Information and Referrals.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(cf: P.L.1988, c.138, s.6)

76. Section 2 of P.L.2017, c.359 (C.38A:3-2k) is amended to read as follows:

2. There is hereby created in the Department of Military **[**and Veterans'**]** Affairs a Military and Defense Economic Ombudsman. The ombudsman shall be appointed by the Governor. The person appointed shall have expertise in the areas of defense, business, and governmental affairs, and shall have been a resident of this State for at least 36 consecutive months immediately preceding appointment. Once appointed, the ombudsman shall continue to maintain residency in New Jersey and shall serve at the pleasure of the Governor and shall report to the Adjutant General. The office of the Military and Defense Economic Ombudsman may request and shall avail itself and utilize the services of any officer or employee of the Department of Military **[**and Veterans'**]** Affairs and of any other State department or agency, who shall render such assistance as the head of the principal department or agency may require without additional compensation.

(cf: P.L.2017, c.359, s.2)

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

38A:3-3. The head of the Department of Military **[**and Veterans'**]** Affairs 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:

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

(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 officers having the qualifications to become federally-recognized as brigadier general of the line, New Jersey Army National Guard, or brigadier general, New Jersey Air National Guard.

(cf: P.L.1988, c.138, s.9)

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

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

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

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

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

(d) Command the organized militia of the State, with responsibility for recruiting, mobilization, administration, training, discipline, equipping, supply and general efficiency thereof. **[**He**]** <u>The Adjutant General</u> may issue such regulations and delegate such command functions as shall be deemed necessary. The regulations so issued shall, insofar as possible, conform to the federal laws and regulations concerning the same.

(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 Military **[**and Veterans'**]** Affairs.

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

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

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

(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.

(j) **[**Exercise all of the functions, powers and duties heretofore vested in the Director of the Division on Veterans' Programs and

Special Services.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(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 applicable statutes, except as herein otherwise specifically provided.

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

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

(n) Organize the work of the department in divisions not inconsistent with the provisions of this act, P.L. , c. (pending before the Legislature as this bill) and in bureaus and other organizational units as the Adjutant General may determine to be necessary for efficient and effective operation.

(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 as may be authorized by law.

(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.

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

(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.

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

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

(u) **[**Supervise and operate the New Jersey Veterans' Memorial Home-Menlo Park, the New Jersey Veterans' Memorial Home-Vineland, the New Jersey Veterans' Memorial Home-Paramus and the New Jersey Veterans' Memorial Cemetery-Arneytown.**]**

(Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(v) **[**Supervise and operate the liaison office and the field offices which serve the federal Veterans' Affairs Medical Centers.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

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

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

(y) **[**Provide current information to the general public on State and federal veterans' programs and benefits; create a comprehensive public webpage for women veterans that includes, but is not limited to, the following information: veterans' legal rights, benefits, medical and insurance issues, education, the transition from active service to civilian life, and other resources available to veterans.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(z) **[**Develop and administer the New Jersey Homeless Veterans Grant Program established pursuant to section 3 of P.L.2013, c.239 (C.38A:3-6.2b).**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(aa) **[**Encourage and facilitate the registration of each service member residing in New Jersey with the United States Department of Veterans' Affairs, or its successor agency. Registration shall take place, as appropriate, when the service member returns from deployment on federal active duty or is discharged or as soon as possible thereafter. The term "service member" shall mean members of the New Jersey National Guard and members of the United States Armed Forces, or a Reserve component thereof, when the information on each member is made available to the department.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(bb) **[**Develop and coordinate a volunteer-based program comprised of former servicemembers to assist and mentor veterans who become involved with the criminal justice system, while criminal proceedings are pending and afterward, in accessing assistance to resolve the underlying problems that led or contributed to the veteran's involvement with the criminal justice system including, but not limited to, offering support and guidance, securing housing, employment linkages, job training, education, transportation, disability compensation claims, discharge status, health care and other linkages available at the local, State and federal level that can ease the challenge of reentry into civilian life. In addition, the Adjutant General shall develop a registry of volunteer mentors and make the registry available pursuant to

P.L.2017, c.42 (C.2C:43-23 et al.).**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(cc) **[**Prepare and disseminate a directory of Veterans Diversion Resource Program entities currently available within New Jersey pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

(dd) **[**Create a comprehensive public webpage for Gold Star family members that includes, but is not limited to, the following information: State benefits; State and county liaisons; a list of service members from New Jersey killed in action; links to other Gold Star family organizations; and such other information and resources as the Adjutant General deems necessary and beneficial to a Gold Star family member. A "Gold Star family member" means the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption.**]** (Deleted by amendment, P.L. , c.) (pending before the Legislature as this bill)

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

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

79. Section 41 of P.L.1994, c.182 (C.38A:3-6.19) is amended to read as follows:

41. The Adjutant General of the Department of Military **[**and Veterans'**]** Affairs shall:

a. cause copies of the voter registration forms and instructions furnished under subsection f. of section 16 of P.L.1974, c.30 (C.19:31-6.4) to be displayed at each recruitment office of the New Jersey National Guard and to be made available to each person who, when appearing in person at such office to apply for enlistment in the Guard, may wish, on a voluntary basis, to register to vote;

b. provide for the continuous supply of the forms and instructions specified in subsection a. of this section to each such office; and

c. provide the forms and instructions specified in subsection a. of this section in both the English and Spanish languages to each recruitment office of the New Jersey National Guard which is located in any county in which bilingual sample ballots must be provided pursuant to R.S.19:14-21, R.S.19:49-4 or section 2 of P.L.1965, c.29 (C.19:23-22.4).

(cf: P.L.1994, c.182, s.41)

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

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

(a) Officers and enlisted members who are ordered to active 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 this title.

(b) Classified civil service employees.

(c) Unclassified civil service employees, who may be relieved, suspended or discharged for good cause. Such personnel shall be administered as far as practicable under similar regulations as those applicable to classified civil service, but shall be subject to military discipline and control as the Commissioner deems appropriate, and shall include all personnel employed for the maintenance of armories.

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

(cf: P.L.1988, c.138, s.11)

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

38A:3-10. The **[**Adjutant General**]** Commissioner of the Department of Veterans Affairs may demand and receive, for the services herein enumerated, except for those in proof of pension**[**, establishment of veteran status,**]** and exemption from jury duty, or in lieu of lost discharges, the following fees:

(a) For every search made in his office for the military record of any member or former member of the armed forces, including any member of the American Merchant Marine during World War II who is declared by the United States Department of Defense to be eligible for federal veterans' benefits, the sum of $1.00.

(b) For the furnishing of every certified copy of such record, the sum of $2.00.

The **[**Adjutant General**]** Commissioner shall keep a true record and account of fees received under the provisions of this section and shall pay the same into the State Treasury in the manner prescribed by law.

(cf: P.L.1991, c.389, s.21)

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

38A:3-11. The Adjutant General shall have an appropriate seal and have affixed an impression of the same to all certificates of record issued from the Department of Military **[**and Veterans'**]** Affairs. Copies of any books, records, papers and documents, in the Department of Military **[**and Veterans'**]** Affairs certified by the

Adjutant General or other designated officer of the department, under seal of the Department of Military [and Veterans'] Affairs shall be admitted as evidence in any court of the State, either civil or military, with the same force and effect as if the original had been produced.
(cf: P.L.1988, c.138, s.12)

83. Section 2 of P.L.1992, c.86 (C.38A:3-16) is amended to read as follows:

2. The Council on Armed Forces and Veterans' Affairs established in the Department of Commerce and Economic Development pursuant to P.L.1983, c.61 (C.52:27H-45 et seq.) is hereby transferred to and established in the Department of Military [and Veterans'] Affairs. The council shall consist of 22 members: two to be appointed by the President of the Senate from the members thereof, no more than one of whom shall be from the same political party; two to be appointed by the Speaker of the General Assembly from the members thereof, no more than one of whom shall be from the same political party; the Adjutant General of the Department of Military [and Veterans'] Affairs, the Commissioner of the Department of Veterans Affairs, the Commissioner of the New Jersey Commerce Commission, the Commissioner of Education, the Commissioner of Environmental Protection, the Commissioner of Transportation, the State Treasurer, the Commissioner of Community Affairs, the Commissioner of Labor and Workforce Development, and the Chair of the New Jersey Commission on Higher Education, or their designees; and [nine] eight public members to be appointed by the Governor, with the advice and consent of the Senate. [Eight] Seven of the public members shall be representatives of the community and business support groups for New Jersey's military installations and the United States Coast Guard training center. Each public member shall serve for a term of three years from the date of the member's appointment and until the member's successor is appointed and qualified. Vacancies resulting from causes other than by expiration of term shall be filled for the unexpired term only and shall be filled in the same manner as the original appointments were made.
(cf: P.L.2007, c.253, s.22)

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

38A:10-3. The military courts for the militia of this State shall be constituted like similar courts of the armed forces of the United States. They shall have the jurisdiction and powers, except as to punishments, and shall follow the forms and procedures provided for those courts. The convening authority for such military courts and maximum punishments authorized shall be as prescribed by federal and State laws and regulations applicable to the national

guard; provided, however, that special courts-martial may be convened only with the approval of the Adjutant General, Department of Military [and Veterans'] Affairs.
(cf: P.L.1988, c.138, s.13)

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

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

There shall be appropriated to the State Department of Military [and Veterans'] Affairs from time to time, such sums as may be necessary to meet the State's share, or the entire cost of such construction, when included in any annual or supplemental appropriation act.
(cf: P.L.1988, c.138, s.16)

86. Section 2 of P.L.1968, c.278 (C.38A:13-9) is amended to read as follows:

2. The death benefit provided for in section 1 of [this act] P.L.1968, c.278 (C.38A:13-8) shall not be payable where there is a lump sum death benefit payable as a result of the deceased militiaman's membership in a public employees' pension system, or when the militiaman was detailed to the Department of Military [and Veterans'] Affairs in a permanent duty status and entitled to benefits out of Federal funds.
(cf: P.L.1988, c.138, s.19)

87. Section 2 of P.L.2013, c.238 (C.38:17-2.1) is amended to read as follows:

2. The county medical examiner, or a designee, shall be responsible for the positive identification of an unidentified indigent deceased person. The supervisor of veterans' interment or county medical examiner, as appropriate, shall contact the Department of [Military and Veterans'] Veterans Affairs upon receipt of an unclaimed indigent deceased person to ascertain the veteran status of the person. The supervisor of veterans' interment or county medical examiner, as appropriate, shall be notified upon determination of the veteran status of the person. If the person was a veteran discharged under conditions other than dishonorable, the supervisor of veterans' interment or county medical examiner, as appropriate, shall cause burial or cremation to occur within 72 hours of notification of veteran status.

For the purposes of this section:

"Indigent" shall mean a person who has an income that is below 200 percent of the federal poverty level; and

"Poverty level" shall mean the official poverty level based on family size established and adjusted under Section 673(2) of Subtitle B. of the federal "Community Services Block Grant Act," Pub.L.97-35 (42 U.S.C. s.9902(2)).
(cf: P.L.2023, c.17, s.2)

88. R.S.38:18-3 is amended to read as follows:

38:18-3. Evidence of the service and disability mentioned in R.S.38:18-1 shall be furnished to the [Division of Veterans Services of the] Department of [Military and Veterans'] Veterans Affairs, which shall examine the same and upon being satisfied that the service was performed and the soldier has been rendered totally blind as a result thereof, shall so certify to the Director of the Division of Budget and Accounting who shall, upon receipt thereof, draw a warrant on the State Treasurer in favor of the applicant in a bulk sum for any accrued payments and in the sum of $1,800 annually, which the State Treasurer shall pay out of the money appropriated therefor by the Legislature.
(cf: P.L.2022, c.105, s.2)

89. R.S.38:20-3 is amended to read as follows:

38:20-3. Application for such benefits shall be made to the Department of [Military and Veterans'] Veterans Affairs, which shall make rules and regulations to effectuate the provisions thereof. It shall ascertain and approve the educational aptitude of the applicant for the course of study desired to be pursued in accordance with tests or standards prescribed or approved by the State Department of Education and the financial need of the applicant and may satisfy itself of the attendance of such applicants and the accuracy of the charges made by the institution which the applicant attends. No more than four annual allotments of $500.00 each shall be allowed any such applicant.
(cf: P.L.1991, c.39, s.1)

90. Section 1 of P.L.1974, c.55 (C.52:14-15.107) is amended to read as follows:

1. Notwithstanding the provisions of the annual appropriations act and section 7 of P.L.1974, c.55 (C.52:14-15.110), the annual salary for each of the following officers shall be $210,000 in calendar year 2024 and thereafter:

Title
Agriculture Department
Secretary of Agriculture
Children and Families Department
Commissioner of Children and Families
Community Affairs Department
Commissioner of Community Affairs
Corrections Department

Commissioner of Corrections
Education Department
Commissioner of Education
Environmental Protection Department
Commissioner of Environmental Protection
Health Department
Commissioner of Health
Human Services Department
Commissioner of Human Services
Banking and Insurance Department
Commissioner of Banking and Insurance
Labor and Workforce Development Department
Commissioner of Labor and Workforce Development
Chairperson of the Civil Service Commission
Law and Public Safety Department
Attorney General
Colonel and Superintendent, State Police
Director of the Office of Homeland Security and Preparedness
Military [and Veterans'] Affairs Department
Adjutant General
State Department
Secretary of State
Secretary of Higher Education
Transportation Department
Commissioner of Transportation
Chief Administrator, New Jersey Motor Vehicle Commission
Treasury Department
State Treasurer
State Comptroller
Chief Technology Officer
Veterans Affairs Department
Commissioner of Veterans Affairs
Members, Board of Public Utilities
(cf: 2023, c.349, s.5)

[1]91. N.J.S.38A:12-1 is amended to read as follows:

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 State of New Jersey such real property as shall be necessary for the purpose of armories or other military [and veterans'] facilities.

No real property leased by this State or the United States for armories or other military [and veterans'] facilities shall be subject to condemnation proceedings without first obtaining the approval of the Governor.[1]

(cf: P.L.1988, c.138, s.14)

[1]92. N.J.S.38A:12-3 is amended to read as follows:

38A:12-3. The Adjutant General shall, in compliance with the provisions of P.L.1954, c.48 (C.52:34-6 et seq.), supervise the construction, repair and alterations of armories and other military [and veterans'] facilities.[1]

(cf: P.L.1988, c.138, s.15)

[1]93. N.J.S.38A:12-5 is amended to read as follows:

38A:12-5. The Adjutant General may lease, rent or permit the use of any armory or other military [and veterans'] facility, or any part thereof, for nonmilitary purposes, under such restrictions and for such compensation, if any, as he may by regulation prescribe.[1]

(cf: P.L.1988, c.138, s.17)

[1]94. N.J.S.38A:12-6 is amended to read as follows:

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

Furthermore, if it will not interfere with or impair military [or veterans'] activities, the Adjutant General, on behalf of the State, may convey an easement to the county or municipality in which the land is situated or to a public utility company 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.[1]

(cf: P.L.1988, c.138, s.18)

[1]95. N.J.S.38A:12-7 is amended to read as follows:

38A:12-7. The proceeds of any sale made pursuant to [section] N.J.S.38A:12-6 [of this Title] shall be deposited as received with the State Treasurer and maintained by him in a separate account. Moneys credited to such an account shall be appropriated and used for the purchase of real property or for the construction, alteration or renovation of buildings for the use of the militia.[1]

(cf: P.L.1963, c.109, s.1)

[1]96. Section 4 of P.L.2000, c.127 (C.18a:66-2.2) is amended to read as follows:

4. The [Adjutant General] Commissioner of the Department of [Military and Veterans'] Veterans Affairs shall be responsible for determining whether any person seeking to be considered a

"veteran" under N.J.S.18A:66-2, for the purpose of eligibility for a veteran's retirement allowance, meets the criteria set forth therein and adjudicating an appeal from any person disputing this determination. The determination of the ⟦Adjutant General⟧ commissioner shall be binding upon the Division of Pensions and Benefits.[1]

(cf: P.L.2000, c.127, s.4)

[1]97. Section 5 of P.L.2000, c.127 (C.43:15A-6.1) is amended to read as follows:

5. The ⟦Adjutant General⟧ Commissioner of the Department of ⟦Military and Veterans'⟧ Veterans Affairs shall be responsible for determining whether any person seeking to be considered a "veteran" under section 6 of P.L.1954, c.84 (C.43:15A-6), for the purpose of eligibility for a veteran's retirement allowance, meets the criteria set forth therein and adjudicating an appeal from any person disputing this determination. The determination of the ⟦Adjutant General⟧ commissioner shall be binding upon the Division of Pensions and Benefits.[1]

(cf: P.L.2000, c.127, s.5)

[1]98. Section 6 of P.L.2000, c.127 (C.43:16A-11.7a) is amended to read as follows:

6. The ⟦Adjutant General⟧ Commissioner of the Department of ⟦Military and Veterans'⟧ Veterans Affairs shall be responsible for determining whether any person seeking to be considered a "veteran" under section 1 of P.L.1983, c.391 (C.43:16A-11.7), for the purpose of purchasing military service credit, meets the criteria set forth therein and adjudicating an appeal from any person disputing this determination. The determination of the ⟦Adjutant General⟧ commissioner shall be binding upon the board of trustees.[1]

(cf: P.L.2018, c.55, s.11)

[1]⟦91.⟧ 99.[1] Sections 11, 13 through 16, and 29 through 37 of P.L.1987, c.444 (C.38A:3-4.1, 38A:3-12 through 38A:3-15, 38A:3-2a through 38A:3-2i);

section 2 of P.L.1973, c.284 (C.38A:3-2.2);

section 2 of P.L.1989, c.135 (C.38A:3-2b1);

sections 1 and 2 of P.L.1993, c.281 (C.38A:3-2b2 and 38A:3-2b3);

section 14 of P.L.1991, c.273 (C.38A:3-2d1);

sections 1 of P.L.2021, c.215 (C.38A:3-2b2.1);

sections 1 of P.L.2021, c.216 (C.38A:3-2b2.2);

sections 1 of P.L.2021, c.217 (C.38A:3-2b2.3);

section 1 of P.L.2000, c.127 (C.38A:3-6a);

sections 1 and 3 of P.L.2013, c.239 (C.38A:3-6.2a and 38A:3-6.2b);

sections 1 and 2 of P.L.2019, c.207 (38A:3-6.2c and 38A:3-6.2d)

sections 1 through 16 of P.L.1989, c.162 (C.38A:3-6.3 through 38A:3-6.18);

sections 3 through 17 of P.L.1999, c.46 (C.38A:3-23 through 38A:3-37); and

sections 5 and 6 of P.L.1996, c.150 (C.38A:3-6.4a and 38A:3-6.4b), are repealed.

[1][92.] 100.[1] This act shall take effect 120 days following enactment, except that such anticipatory administrative action may be taken in advance as shall be deemed necessary for the implementation of this act.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5520

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 19, 2025

The Assembly Appropriations Committee reports favorably and with committee amendments Assembly Bill No. 5520.

As amended, this bill creates a new Department of Veterans Affairs as a principal department in the executive branch of State government. All divisions and programs concerning veterans now in the Department of Military and Veterans' Affairs are continued and transferred to the new Department of Veterans Affairs. The programs that do not concern veterans are continued in what will be referred to as the Department of Military Affairs. This bill does not create any new divisions or programs. All of the bill's provisions exist in current law and have been duplicated in this bill to provide for their recodification in a new Title 38B. Corresponding provisions of current law now codified in Title 38A are repealed.

New Jersey's veterans have maintained their proud allegiance to the United States and have fought and died to preserve and protect our freedom and way of life. The Department of Military and Veterans' Affairs, which is the current principal government agency that serves this State's veterans, has done an especially commendable job attending to this special group of residents. However, the department has significant priorities with regard to maintaining the strength and readiness of the National Guard and providing for homeland security. While many other states in the United States have a separate cabinet-level department for veterans affairs, New Jersey lacks an executive department which is concerned primarily with the needs and problems of veterans in this State. It is in the public interest to incorporate various services and programs which pertain specifically to veterans and their families and dependents into an executive agency which can serve their specific and special needs more efficiently than is possible at present.

COMMITTEE AMENDMENTS:

The committee amended the bill to require that the new Commission on Women Veterans submit their initial report to, and periodically advise, the Commissioner of the Department of Veterans Affairs. The amendments also make technical changes for succinctness and clarity.

FISCAL IMPACT:

The Office of Legislative Services (OLS) estimates that the creation of a new Department of Veterans Affairs will result in a minimum annual cost increase to the State of $1 million to pay for increased salary and wages costs for positions under the bill, the cost to provide a suitable headquarters for the new department, and the cost to design and maintain new websites and print materials for the new department.

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 5520

STATE OF NEW JERSEY
221st LEGISLATURE

DATED: JUNE 30, 2025

SUMMARY

Synopsis: Establishes Department of Veterans Affairs.

Type of Impact: Annual State expenditure increase.

Agencies Affected: Department of Military and Veterans Affairs.

Office of Legislative Services Estimate

Fiscal Impact	Annual
State Expenditure Increase	Minimum $1 million

- The Office of Legislative Services (OLS) estimates that the establishment of a new Department of Veterans Affairs will result in a minimum annual cost increase to the State of $1 million to pay for increased salary and wages costs for positions created under the bill, to provide a suitable headquarters for the new department, and to design and maintain new websites and print materials for the new department.

BILL DESCRIPTION

This bill establishes a new Department of Veterans Affairs as a principal department in the Executive Branch of State Government. All divisions and programs concerning veterans currently in the Department of Military and Veterans Affairs will continue and be transferred to the new Department of Veterans Affairs. The programs that do not concern veterans will continue in what will be referred to as the Department of Military Affairs. This bill does not create any new divisions or programs. All of the bill's provisions exist in current law and have been duplicated in this bill to provide for their recodification in a new Title 38B. Corresponding provisions of current law codified in Title 38A are repealed.

Under the bill, the Department of Veterans Affairs will be headed by a commissioner, who is required to appoint at least one deputy commissioner to perform all of the powers, functions, and duties of the commissioner during the absence or disability of the commissioner, and who is

required to perform such other duties as assigned. The bill provides that the commissioner will have the powers, functions, and duties formerly vested in the Administrator of Veterans Affairs in the Department of Military and Veterans Affairs, as well as other powers and functions, which will include the authority to organize and maintain an administrative division and maintain a suitable headquarters for the department. Under the bill, the commissioner will have an appropriate seal, which will be required to be included on all certificates of records issued from that department.

The Adjutant General of the Department of Military Affairs, will also have an appropriate seal which will be required to be included on all certificates of records issued from the department.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates that the establishment of a new Department of Veterans Affairs will result in a minimum annual cost increase to the State of $1 million to pay for increased salary and wages costs for positions created under the bill, to provide a suitable headquarters for the new department, and to design and maintain new websites and print materials for the new department.

The actual annual cost increase to the State will depend on the number of new personnel added to the State's payroll and corresponding salary and wages expenses, the cost to provide a suitable headquarters for the department, and the cost to operate the new department, inclusive of costs for materials and supplies, services other than personal, maintenance and fixed charges, and the cost to design and maintain new print and online materials.

Section:	*State Government*
Analyst:	*Anna Harris* *Associate Fiscal Analyst*
Approved:	*Thomas Koenig* *Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

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Governor Phil Murphy

Governor Murphy Signs Legislation Establishing the Department of Veterans Affairs

Posted on - 09/11/2025

Legislation Will Reorganize the Department of Military and Veterans Affairs (DMAVA)

Announces Vincent Solomeno as the Intended Nominee for Commissioner of the New Department of Veterans Affairs

TRENTON – Governor Murphy today signed legislation that would establish a new cabinet-level Department of Veterans Affairs in New Jersey, reorganizing the existing Department of Military and Veterans Affairs (DMAVA).

"Veterans have selflessly fought for our hard-earned freedoms as Americans," **said Governor Murphy.** "By establishing a department solely dedicated to the needs of Veterans, we will continue to ensure they have a seat at the table and direct access to the support and resources they deserve. Our Veterans and their families deserve nothing less."

Currently, the Department of Military and Veterans Affairs manages both military operations and veterans' services. Under this bill, the newly established Department of Veterans Affairs will exclusively focus on veteran-related matters, such as delivering housing, health care, mental health services, and benefits for veterans and their families. Military functions will continue at the current department, which will be renamed the Department of Military Affairs.

"This realignment is a deliberate step toward strengthening operational efficiency, enhancing service delivery, and ensuring focused leadership in support of our Veterans and military communities," **said Brigadier General Yvonne L. Mays, The Adjutant General of New Jersey and Commissioner of the New Jersey Department of Military and Veterans Affairs.** "It underscores our unwavering commitment to provide each community with the dedicated resources, advocacy, and attention they deserve."

The law takes effect 120 days after enactment, allowing for anticipatory administrative actions, and maintains existing veterans' services without creating new programs or appropriations.

Governor Murphy also announced today that Vincent Solomeno is his intended nominee for Commissioner for the Department of Veterans Affairs once the law takes effect.

"Vincent Solomeno has dedicated his career to serving our veterans and their families," **continued Governor Murphy.** "His years of leadership and experience will help support our service members effectively. I am confident he will

excel as the inaugural Commissioner of the Department of Veterans Affairs."

"Under Governor's Murphy's leadership, the State of New Jersey continues to invest more, do more, and achieve more for Garden State veterans than at any time in our history," **said Deputy Commissioner of Veterans Affairs, Vincent Solomeno.** "I am privileged to work beside teams of dedicated public servants. We are committed to building a robust cabinet-level Department of Veterans Affairs worthy of those that we serve."

A U.S. Army Veteran, Vincent Solomeno currently serves as the Deputy Commissioner of Veterans Affairs and Administrator of Veterans Affairs for the New Jersey Department of Military and Veterans Affairs. Prior to this role, he served as Superintendent of the National Guard Training Center in Sea Girt and as Executive Officer to the Adjutant General and Commissioner of Military and Veterans Affairs. Solomeno has served on active duty during Hurricane Irene, Superstorm Sandy, and the statewide COVID-19 response, and he chairs the Governor's Challenge to Prevent Suicide Among Service Members, Veterans, and Their Families. He earned his Bachelor of Science from the University of Scranton and a Master of Arts from the University of Amsterdam.

The prime sponsors of S4376/A5520 are Senator Joseph Vitale, Senator Joseph Cryan, Assemblywoman Cleopatra Tucker, Assemblyman Robert Karabinchak, and Assemblywoman Annette Quijano.

"New Jersey's veterans deserve nothing less than a government fully committed to their well-being because of all that they sacrificed serving our nation," **said Senator Joseph Vitale.** "Veterans need to know their voices are being heard and their needs prioritized. This bill reflects that commitment by giving them a dedicated seat at the table and a department that works only for them. It was an honor to have devoted nearly three years crafting this new cabinet-level position alongside my colleagues, Senators Cryan and Johnson, Assemblywoman Tucker, the Murphy administration, and veterans organizations."

"Our veterans have made extraordinary sacrifices in service to our country, our security and our way of life," **said Senator Joseph Cryan.** "They deserve more than our gratitude for answering the call to duty. They should get our continued commitment to their health and well-being with a department that is dedicated to their needs. The newly-created Department of Veterans Affairs will elevate veterans' priorities, provide timely services, deliver benefits more effectively, and treat them with the dignity they have earned."

"The fearless men and women who risked their lives to defend our country deserve to know that New Jersey has their backs as they navigate civilian life. With the creation of the Department of Veterans Affairs, we are affirming our commitment to supporting these heroes and their families," **said Senator Gordon Johnson.** "This new agency will more efficiently connect our vets to critical services like healthcare and housing, and ensure veterans are duly considered and represented in all matters of state government. It's about delivering the care, respect, and visibility they have earned in service to us all."

"This bill is about building a better, more responsive system for veterans in New Jersey—one that puts their needs first, strengthens accountability, and ensures that no one who served our country is left to struggle," **said Assemblywoman Cleopatra Tucker, Chair of the Assembly Military and Veterans' Affairs Committee.** "By creating a standalone Department of Veterans Affairs, we're making the kind of structural changes that will improve outcomes, restore trust, and honor the service of our veterans."

"New Jersey's veterans have given so much to our nation, and it is our responsibility to ensure they receive the care and support they deserve. As the son and brother of veterans, I know firsthand the importance of protecting and honoring those who have served," **said Assemblyman Robert Karabinchak, Chair of the Assembly State and Local**

Government Committee. “Establishing a standalone Department of Veterans Affairs will centralize services, improve efficiency, and strengthen our commitment to those who served. This is a meaningful step forward for veterans and their families across our state.”

"This legislation recognizes the unique needs of New Jersey’s veterans by creating a dedicated cabinet-level department to serve them,” **said Assemblywoman Annette Quijano.** “The new Department of Veterans Affairs will ensure veterans have a clear point of contact for the programs and services they rely on, and it demonstrates our ongoing commitment to honor their service with dedicated attention and resources.”

“The VFW has supported this important piece of legislation since its inception,” **said Jay Boxwell, NJ VFW Legislative Director.** “To have the new Commissioner of Veterans Affairs in a seat on the Governor's cabinet shows the commitment New Jersey has for its veterans. We look forward to working with the new leadership in the Department of Veteran Affairs.”

“This change demonstrates a strong commitment to improving the resources, services, and overall support available to our veteran community. I am confident that it will contribute to enhanced outcomes for those who have served, addressing both current needs and long-term goals. As someone who deeply values the well-being of our veterans, I fully support this change and look forward to seeing its positive impact in the near future,” **said Kelly Atkinson, Northern Region Vice President, National Montford Point Marine Association Inc.**

“By creating a dedicated Department of Veterans Affairs, the Governor and Legislature affirm their deep gratitude and commitment to ensuring every veteran receives the care, housing, and benefits they have earned, while military operations receive clear and focused oversight,” **said Sharon McGreevey, Director of Veteran Services, New Jersey Reentry Corporation.**

“With the creation of a New Jersey Department of Veterans Affairs, New Jersey now joins other states in elevating the voice of Veterans in public programs and policy,” **said Dan Channel, Commander, The American Legion Department of New Jersey.** “The selection of Vincent Solomeno to lead this important organization as its Acting Commissioner is an outstanding one for the Veterans of New Jersey. He is extremely qualified to transform state-delivered Veteran benefits and services. The American Legion Department of New Jersey looks forward to working with Mr. Solomeno and his team in assuring the Veterans of New Jersey are aware of the many state programs and services available to them, while also keeping him informed of the top issues and concerns they face.”

"We firmly support Governor Phil Murphy's initiative to restructure the New Jersey Department of Military and Veterans Affairs into two separate departments," **said David Pearson, Director of Outreach, Catholic Charities Veteran Services.** "This important step acknowledges the unique needs of our veterans and aims to build upon the critical services and support that they’ve been receiving from the Murphy Administration. Through this move, we can ensure that our veterans are receiving the comprehensive care and resources they most need, continuing to reflect our commitment to honor their sacrifices and improve their quality of life. This restructuring represents a vital move toward a more efficient and effective system that prioritizes the well-being of those who have served our country."

Governor Phil Murphy

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Legislation Establishing Department of Veterans Affairs Signed into Law

Tucker, Karabinchak, Quijano bill creates cabinet-level department to oversee veterans' programs

(TRENTON) — Legislation establishing a cabinet-level Department of Veterans Affairs to oversee veterans' programs was signed into law today. Bill **A5520**, sponsored by Assemblywoman **Cleopatra Tucker**, Assemblyman **Robert Karabinchak** and Assemblywoman **Annette Quijano** will help ensure that veterans have timely access to the services they earned and deserve by creating an agency dedicated specifically to assisting them.

Assembly members Tucker, Karabinchak and Quijano offered the following comments on their bill being signed into law:

"This bill is about building a better, more responsive system for veterans in New Jersey—one that puts their needs first, strengthens accountability, and ensures that no one who served our country is left to struggle," **said Assemblywoman Tucker (D-Essex, Union), Chair of the Assembly Military and Veterans' Affairs Committee and prime sponsor of both bills.** "By creating a standalone Department of Veterans Affairs, we're making the kind of structural changes that will improve outcomes, restore trust, and honor the service of our veterans."

"New Jersey's veterans have given so much to our nation, and it is our responsibility to ensure they receive the care and support they deserve. As the son and brother of veterans, I know firsthand the importance of protecting and honoring those who have served," **said Assemblyman Karabinchak (D-Middlesex), Chair of the Assembly State and Local Government Committee**. "Establishing a standalone Department of Veterans Affairs will centralize services, improve efficiency, and strengthen our commitment to those who served. This is a meaningful step forward for veterans and their families across our state."

"This legislation recognizes the unique needs of New Jersey's veterans by creating a dedicated cabinet-level department to serve them," **said Assemblywoman Quijano (D-Union).** "The new Department of Veterans Affairs will ensure veterans have a clear point of contact for the programs and services they rely on, and it demonstrates our ongoing commitment to honor their service with dedicated attention and resources."

Posted on: September 11, 2025

Vitale, Cryan Bill Establishing Cabinet-Level Department of Veterans Affairs Signed Into Law

TRENTON – Governor Murphy has signed into law legislation sponsored by Senator Joe Vitale and Senator Joe Cryan establishing a new cabinet-level Department of Veterans Affairs in New Jersey, separating veterans' services from the state's military operations.

"New Jersey's veterans deserve nothing less than a government fully committed to their well-being because of all that they sacrificed serving our nation," said Senator Vitale (D-Middlesex County). Veterans need to know their voices are being heard and their needs prioritized. This bill reflects that commitment by giving them a dedicated seat at the table and a department that works only for them. It was an honor to have devoted nearly three years to crafting this new cabinet-level position alongside my colleagues, Senators Cryan and Johnson, Assemblywoman Tucker, the Murphy administration, and veterans' organizations."

The law, S-4376, reorganizes the existing Department of Military and Veterans Affairs (DMAVA) by transferring all veteran-specific programs into the newly created Department of Veterans Affairs (DVA). Programs focusing solely on military readiness and National Guard operations will remain under a restructured Department of Military Affairs.

The new DVA will oversee services including housing, healthcare, mental health programs, and benefits for veterans and their families—providing a more focused agency solely dedicated to their needs.

"Our veterans have made extraordinary sacrifices in service to our country, our security, and our way of life," said Senator Cryan (D-Union). "They deserve more than our gratitude for answering the call to duty. They should get our continued commitment to their health and well-being with a department that is dedicated to their needs. The newly-created Department of Veterans Affairs will elevate veterans' priorities, provide timely services, deliver benefits more effectively, and treat them with the dignity they have earned."

"The fearless men and women who risked their lives to defend our country deserve to know that New Jersey has their backs as they navigate civilian life. With the creation of the Department of Veterans Affairs, we are affirming our commitment to supporting these heroes and their families," said Senator Gordon Johnson. "This new agency will more efficiently connect our vets to critical services like

healthcare and housing, and ensure veterans are duly considered and represented in all matters of state government. It’s about delivering the care, respect, and visibility they have earned in service to us all.”

The measure mirrors the model of several other states, including New York, California, and Texas, which have created separate agencies to better serve their veteran populations.