

38:18A-1 to 38:18A-3

LEGISLATIVE HISTORY CHECKLIST

(Paraplegic veterans--
increases benefits)

NJSA 38:18A-1 to 38:18A-3

LAWS 1981

CHAPTER 424

Bill No. S741

Sponsor(s) Hirkala and J. Russo

Date Introduced Pre-filed

Committee: Assembly State Government Federal & Interstate Relations & Veterans Affairs

Senate State Gov't, Federal & Interstate Relations & Veterans Affairs

Amended during passage Yes

~~XX~~ Amendments during passage
denoted by asterisks

Date of Passage: Assembly Jan. 7, 1982

Senate June 8, 1980

Date of approval Jan. 9, 1982

Following statements are attached if available:

Sponsor statement	Yes	XX (Below)
Committee Statement: Assembly	Yes	XX
Senate	Yes	XX 5-4-81 & 10-23-82
Fiscal Note	XXX	No
Veto Message	XXX	No
Message on signing	XXX	No

Following were printed:

Reports	XXX	No
Hearings	XXX	No

Sponsors' statement:

This bill increases the benefits payable to paraplegic veterans of war or other emergency.

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SENATE, No. 741**STATE OF NEW JERSEY**

PRE-FILED FOR INTRODUCTION IN THE 1980 SESSION

By Senators HIRKALA and A. RUSSO

AN ACT to amend "An act concerning relief of certain persons who served in the active military or naval forces of the United States, and supplementing Title 38 of the Revised Statutes," approved June 11, 1947 (P. L. 1947, c. 263), as said title was amended by P. L. 1948, c. 138.

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

1 1. Section 1 of P. L. 1947, c. 263 (C. 38:18A-1) is amended
2 to read as follows:

3 1. As used in this act, the word "veteran" means and includes
4 any officer, soldier, sailor, marine, airman, nurse, or any other
5 person, male or female, regularly enlisted or inducted, who was or
6 shall have been a part of the active military or naval forces of
7 the United States, and who took part or shall have taken part
8 in any war in which the United States was engaged, or who took
9 part or shall have taken part in the wars with the governments
10 of Japan, Germany and Italy, or any of them, or who served or
11 shall have served in the active military or naval service of the
12 United States in time of emergency as herein defined, and who
13 was a resident of this State at the time he was or shall be
14 commissioned, enlisted, inducted, appointed or mustered into the
15 active military or naval service of the United States, and who has
16 been or shall have been given a discharge or release therefrom
17 under conditions other than dishonorable and continues to be a
18 resident of this State.

19 As used in this act the term "in time of emergency" shall mean
20 (a) *the Korean conflict* and include any time after June 23, 1950,
21 and prior to *July 27, 1953* [the termination, suspension or revoca-
22 tion of the proclamation of the existence of a national emergency

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.

23 issued by the President of the United States on December 16, 1950,
 24 or termination of the existence of such national emergency by ap-
 25 propriate action of the President or Congress of the United States] **]**
 26 *and (b) the Vietnam conflict and include any time after December*
 27 *31, 1960, and prior to the date of termination as proclaimed by the*
 28 *Governor.*

1 2. Section 2 of P. L. 1947, c. 263 (C. 38:18A-2) is amended to
 2 read as follows:

3 2. A veteran who served in the active military or naval forces
 4 of the United States and who is suffering from paraplegia and
 5 has permanent paralysis of both legs and lower parts of the body,
 6 or who is suffering from osteochondritis and has permanent loss
 7 of the use of both legs, or who is suffering from hemiplegia and
 8 has permanent paralysis of one leg and one arm or either side of
 9 the body, resulting from injury to the spinal cord, skeletal struc-
 10 ture, or brain or who has suffered amputation of both hands, both
 11 feet or one hand and one foot, or who has lost the use of both
 12 feet or both legs, due to multiple sclerosis, sustained through enemy
 13 action, or accident, or resulting from disease contracted while in
 14 such active military or naval service, shall be paid for the term of
 15 his life the sum of **[\$500.00]** *\$750.00* annually in monthly payments.
 16 Such payments shall be due and payable from the date of his dis-
 17 charge or release if application therefor shall be made within one
 18 year from the date of such discharge or release. If the application
 19 shall be made after 1 year from the date of his discharge or re-
 20 lease, such payment shall be due and payable from the date of
 21 such application. Accrued payments to the date of certification shall
 22 be paid in one lump sum.

23 Nothing in this act shall be intended to include paraplegia or
 24 hemiplegia resulting from locomotor ataxia or other forms of
 25 syphilis of the central nervous system or from chronic alcoholism,
 26 or to include other forms of disease resulting from the veteran's
 27 own misconduct which may produce signs and symptoms similar to
 28 those resulting from paraplegia, osteochondritis, hemiplegia or
 29 multiple sclerosis.

1 3. Section 3 of P. L. 1947, c. 263 (C. 38:18A-3) is amended to
 2 read as follows:

3 3. Evidence of the service and disability mentioned in this act
 4 shall be furnished to the Division of Veteran's Services of the
 5 Department of **[Conservation and Economic Development]** *Human*
 6 *Services*, which shall examine the same and upon being satisfied
 7 that the service was performed and the veteran has been rendered

8 permanently paralyzed or has permanently lost the use of both legs,
9 or has suffered amputation, as defined in section 2 of this act, shall
10 so certify to the Director of the Division of Budget and Accounting
11 in the Department of the Treasury, who shall, upon receipt thereof,
12 draw his warrant on the State Treasurer in favor of the applicant
13 in the sum of ~~[\$500.00]~~ \$750.00 annually, which the State Treasurer
14 shall pay out **of** the money appropriated therefor by the Legis-
15 lature.

1 4. This act shall take effect immediately.

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ASSEMBLY STATE GOVERNMENT, FEDERAL AND
INTERSTATE RELATIONS AND VETERANS
AFFAIRS COMMITTEE

STATEMENT TO
SENATE, No. 741
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STATE OF NEW JERSEY

DATED: JUNE 29, 1981

The statement of the Senate Revenue, Finance and Appropriations Committee adequately explains the provisions and the purpose of the bill, as amended by that committee.

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SENATE REVENUE, FINANCE AND APPROPRIATIONS
COMMITTEE

STATEMENT TO
SENATE, No. 741
with committee amendments

STATE OF NEW JERSEY

DATED: MAY 4, 1981

Senate Bill No. 741 amends that section of law that provides an annual payment to veterans with service connected paraplegia, osteochondritis, hemiplegia, multiple sclerosis or double amputation.

The bill increases the amount of the payment from \$500.00 to \$750.00. It secondly authorizes the payment to be made to qualified Vietnam era veterans.

The program cost has been \$170,000.00 for the last several years, providing payments to 340 veterans. Increasing the payments by \$250.00 would cost an additional \$85,000.00. It is estimated by the Division of Veteran Services that approximately 20 to 30 Vietnam era veterans would become eligible at a cost of between \$15,000.00 and \$22,500.00. The total cost of the bill, therefore, would be approximately \$107,000.00.

The committee amended the bill to make the provisions of section 3 otherwise consistent with the current version of law.

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

STATEMENT TO
SENATE, No. 741

STATE OF NEW JERSEY

DATED: OCTOBER 23, 1980

This bill increases the benefits payable to paraplegic or hemiplegic veterans, pursuant to the provisions of Title 38, from \$500.00 per year to \$750.00 per year. The bill also amends the definition of "in time of emergency" to conform the dates of the Korean conflict with the dates for that conflict as given in other statutes, and to include the Vietnam conflict within the scope of the definition.

In FY-81, the recommended appropriation for the benefits presently payable under the law is \$170,000.00. The number of veterans presently eligible for benefits is 340. The Division of Pensions estimates that between 20 and 30 Vietnam-era veterans will become eligible if this bill is passed. The division estimates the total cost of the legislation would be approximately \$104,000.00.