

# 38A:3-28.1

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2010                    **CHAPTER:** 11

**NJSA:** 38A:3-28.1 (Requires DMVA, through State veterans service offices, to provide surviving beneficiary of deceased service member with comprehensive benefits packet)

**BILL NO:** S589 (Substituted for A1952)

**SPONSOR(S)** Beach and Others

**DATE INTRODUCED:** January 12, 2010

**COMMITTEE:**                    **ASSEMBLY:** ---

**SENATE:** Military and Veterans' Affairs

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:**                    **ASSEMBLY:** February 25, 2010

**SENATE:** February 22, 2010

**DATE OF APPROVAL:** May 6, 2010

### FOLLOWING ARE ATTACHED IF AVAILABLE:

#### FINAL TEXT OF BILL (First reprint enacted)

##### S589

**SPONSOR'S STATEMENT:** (Begins on page 2 of introduced bill) Yes

**COMMITTEE STATEMENT:**                    **ASSEMBLY:** No

**SENATE:** Yes

(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](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL NOTE:** No

##### A1952

**SPONSOR'S STATEMENT:** (Begins on page 2 of introduced bill) Yes

**COMMITTEE STATEMENT:**                    **ASSEMBLY:** Yes

**SENATE:** No

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL NOTE:** No

(continued)

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

LAW/KR

[First Reprint]

**SENATE, No. 589**

**STATE OF NEW JERSEY**  
**214th LEGISLATURE**

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

**Sponsored by:**

**Senator JAMES BEACH**

**District 6 (Camden)**

**Senator PHILIP E. HAINES**

**District 8 (Burlington)**

**Assemblyman JACK CONNERS**

**District 7 (Burlington and Camden)**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington and Camden)**

**Assemblywoman CLEOPATRA G. TUCKER**

**District 28 (Essex)**

**Assemblyman UPENDRA J. CHIVUKULA**

**District 17 (Middlesex and Somerset)**

**Co-Sponsored by:**

**Senator Connors, Assemblywomen McHose, Gove, Assemblymen Wilson, Diegnan, Assemblywoman Greenstein, Assemblymen Coughlin, Rudder, Assemblywoman Addiego and Assemblyman O'Scanlon**

**SYNOPSIS**

Requires DMVA, through State veterans service offices, to provide surviving beneficiary of deceased service member with comprehensive benefits packet.

**CURRENT VERSION OF TEXT**

As reported by the Senate Military and Veterans' Affairs Committee on February 1, 2010, with amendments.

(Sponsorship Updated As Of: 2/26/2010)

1 AN ACT requiring the Department of Military and Veterans' Affairs  
2 to provide a surviving beneficiary of a deceased service member  
3 with certain information and supplementing chapter 3 of Title  
4 38A of the New Jersey Statutes.

5

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

8

9 1. a. Upon receipt of the notice from the United States  
10 Department of Defense of the death of a service member who  
11 resided in this State and whose surviving beneficiary resides in this  
12 State, the <sup>1</sup>**[Division of Veterans' Training, Information and**  
13 **Referrals]** Department of Military and Veterans Affairs<sup>1</sup> shall  
14 notify the appropriate State veterans service office and the office  
15 shall provide the surviving beneficiary of a deceased service  
16 member with a comprehensive packet containing information on all  
17 federal and State benefits for which the surviving beneficiary may  
18 be eligible. The <sup>1</sup>**[division]** department<sup>1</sup> shall develop the packet  
19 and provide all State veterans service offices with a supply of  
20 packets for distribution.

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

24 b. For the purpose of this section:

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

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

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

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

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

38

39 2. This act shall take effect immediately.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SMV committee amendments adopted February 1, 2010.

# SENATE, No. 589

## STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

**Sponsored by:**

**Senator JAMES BEACH**

**District 6 (Camden)**

**Senator PHILIP E. HAINES**

**District 8 (Burlington)**

**Co-Sponsored by:**

**Senator Connors**

**SYNOPSIS**

Requires DMVA, through State veterans service offices, to provide surviving beneficiary of deceased service member with comprehensive benefits packet.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



**(Sponsorship Updated As Of: 2/2/2010)**

1 AN ACT requiring the Department of Military and Veterans' Affairs  
2 to provide a surviving beneficiary of a deceased service member  
3 with certain information and supplementing chapter 3 of Title  
4 38A of the New Jersey Statutes.

5

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

8

9 1. a. Upon receipt of the notice from the United States  
10 Department of Defense of the death of a service member who  
11 resided in this State and whose surviving beneficiary resides in this  
12 State, the Division of Veterans' Training, Information and Referrals  
13 shall notify the appropriate State veterans service office and the  
14 office shall provide the surviving beneficiary of a deceased service  
15 member with a comprehensive packet containing information on all  
16 federal and State benefits for which the surviving beneficiary may  
17 be eligible. The division shall develop the packet and provide all  
18 State veterans service offices with a supply of packets for  
19 distribution.

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

23 b. For the purpose of this section:

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

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

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

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

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

37

38 2. This act shall take effect immediately.

39

40

41

STATEMENT

42

43 This bill requires that, upon receipt of the notice from the United  
44 States Department of Defense of the death of a service member who  
45 resided in this State and whose surviving beneficiary resides in this  
46 State, the Division of Veterans' Training, Information and Referrals  
47 in the Department of Military and Veterans' Affairs (DMVA) notify

1 the appropriate State veterans service office (VSO). The VSO will  
2 provide the surviving beneficiary of the deceased service member  
3 with a comprehensive packet containing information on all federal  
4 and State benefits for which the surviving beneficiary may be  
5 eligible. The division will develop the packet and provide all VSOs  
6 with a supply of packets for distribution.

7 The bill will also apply when a deceased service member is not a  
8 resident of this State, but whose surviving beneficiary is a resident  
9 of this State, if that information is known.

10 The bill defines “deceased service member” as any member of  
11 the Armed Forces of the United States or a Reserve component  
12 thereof or a member of the National Guard who dies as a result of  
13 enemy action, accident or disease while on federal active duty,  
14 including active duty for training.

15 The purpose of this bill is to assist the family of every deceased  
16 service member by providing each family with the information they  
17 need to access all of the federal and State benefits for which they  
18 may be eligible. The DMVA and its 15 regional VSOs provide a  
19 great service to those who served our country and to their families.  
20 Unfortunately, a family may not be aware of the services provided  
21 by the VSOs. This bill will correct that by requiring DMVA,  
22 through the appropriate VSO, to be proactive in reaching out to the  
23 family of every deceased service member by providing the family  
24 with a comprehensive benefits packet.

SENATE MILITARY AND VETERANS' AFFAIRS  
COMMITTEE

STATEMENT TO

**SENATE, No. 589**

with committee amendments

**STATE OF NEW JERSEY**

DATED: FEBRUARY 1, 2010

The Senate Military and Veterans' Affairs Committee reports favorably and with committee amendments Senate, No. 589.

This bill requires that, 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 Military and Veterans' Affairs (DMVA) notify the appropriate State veterans service office (VSO). The VSO will provide the surviving beneficiary of the deceased service member with a comprehensive packet containing information on all federal and State benefits for which the surviving beneficiary may be eligible. The division will develop the packet and provide all VSOs with a supply of packets for distribution.

The bill will 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.

The bill defines "deceased service member" as 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.

The purpose of this bill is to assist the family of every deceased service member by providing each family with the information they need to access all of the federal and State benefits for which they may be eligible. The DMVA and its 15 regional VSOs provide a great service to those who served our country and to their families. Unfortunately, a family may not be aware of the services provided by the VSOs. This bill will correct that by requiring DMVA, through the appropriate VSO, to be proactive in reaching out to the family of every deceased service member by providing the family with a comprehensive benefits packet.

This bill is identical to Assembly, No. 1952 of 2010-2011.

This bill was pre-filed for introduction in the 2010-2011 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.



# ASSEMBLY, No. 1952

## STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED FEBRUARY 8, 2010

**Sponsored by:**

**Assemblyman JACK CONNERS**  
**District 7 (Burlington and Camden)**

**Co-Sponsored by:**

**Assemblywomen McHose, Gove and Assemblyman Wilson**

**SYNOPSIS**

Requires DMVA, through State veterans service offices, to provide surviving beneficiary of deceased service member with comprehensive benefits packet.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/19/2010)**

A1952 CONNERS

2

1 AN ACT requiring the Department of Military and Veterans' Affairs  
2 to provide a surviving beneficiary of a deceased service member  
3 with certain information and supplementing chapter 3 of Title  
4 38A of the New Jersey Statutes.

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

8  
9 1. a. Upon receipt of the notice from the United States  
10 Department of Defense of the death of a service member who  
11 resided in this State and whose surviving beneficiary resides in this  
12 State, the Division of Veterans' Training, Information and Referrals  
13 shall notify the appropriate State veterans service office and the  
14 office shall provide the surviving beneficiary of a deceased service  
15 member with a comprehensive packet containing information on all  
16 federal and State benefits for which the surviving beneficiary may  
17 be eligible. The division shall develop the packet and provide all  
18 State veterans service offices with a supply of packets for  
19 distribution.

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

23 b. For the purpose of this section:

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

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

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

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

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

37

38 2. This act shall take effect immediately.

39

40

41

STATEMENT

42

43 This bill requires that, upon receipt of the notice from the United  
44 States Department of Defense of the death of a service member who  
45 resided in this State and whose surviving beneficiary resides in this  
46 State, the Division of Veterans' Training, Information and Referrals  
47 in the Department of Military and Veterans' Affairs (DMVA) notify  
48 the appropriate State veterans service office (VSO). The VSO will

**A1952 CONNERS**

1 provide the surviving beneficiary of the deceased service member  
2 with a comprehensive packet containing information on all federal  
3 and State benefits for which the surviving beneficiary may be  
4 eligible. The division will develop the packet and provide all VSOs  
5 with a supply of packets for distribution.

6 The bill will also apply when a deceased service member is not a  
7 resident of this State, but whose surviving beneficiary is a resident  
8 of this State, if that information is known.

9 The bill defines “deceased service member” as any member of  
10 the Armed Forces of the United States or a Reserve component  
11 thereof or a member of the National Guard who dies as a result of  
12 enemy action, accident or disease while on federal active duty,  
13 including active duty for training.

14 The purpose of this bill is to assist the family of every deceased  
15 service member by providing each family with the information they  
16 need to access all of the federal and State benefits for which they  
17 may be eligible. The DMVA and its 15 regional VSOs provide a  
18 great service to those who served our country and to their families.  
19 Unfortunately, a family may not be aware of the services provided  
20 by the VSOs. This bill will correct that by requiring DMVA,  
21 through the appropriate VSO, to be proactive in reaching out to the  
22 family of every deceased service member by providing the family  
23 with a comprehensive benefits packet.

ASSEMBLY MILITARY AND VETERANS' AFFAIRS  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1952**

with committee amendments

**STATE OF NEW JERSEY**

DATED: FEBRUARY 18, 2010

The Assembly Military and Veterans' Affairs Committee reports favorably and with committee amendments Assembly, No. 1952.

This bill requires that, 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 Military and Veterans' Affairs (DMVA) notify the appropriate State Veterans Service Office (VSO). The VSO will provide the surviving beneficiary of the deceased service member with a comprehensive packet containing information on all federal and State benefits for which the surviving beneficiary may be eligible. The division will develop the packet and provide all VSOs with a supply of packets for distribution.

The bill will 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.

The bill defines "deceased service member" as 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.

The purpose of this bill is to assist the family of every deceased service member by providing each family with the information they need to access all of the federal and State benefits for which they may be eligible. The DMVA and its 15 regional VSOs provide a great service to those who served our country and to their families. Unfortunately, a family may not be aware of the services provided by the VSOs. This bill will correct that by requiring DMVA, through the appropriate VSO, to be proactive in reaching out to the family of every deceased service member by providing the family with a comprehensive benefits packet.

This bill, as amended, is identical to Senate, No. 589 (1R) of 2010-2011.

COMMITTEE AMENDMENTS

The committee amended the bill to change the responsible agency to the Department of Military and Veterans Affairs.