

38:25A-1

LEGISLATIVE HISTORY CHECKLIST

NJSA 38:25A-1, 38:25A-3, 38:25A-4 (Poppy--Official souvenir of deceased veterans of all U.S. armed conflicts)

LAWS 1981 CHAPTER 231

Bill No. S1208

Sponsor(s) Wallwork

Date Introduced April 17, 1980

Committee: Assembly State Govt., Federal & Interstate Relations & Veterans Affairs

Senate State Govt., Federal & Interstate Relations & Veterans Affairs

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly June 15, 1981

Senate June 26, 1980

Date of approval July 27, 1981

Following statements are attached if available:

Sponsor statement Yes ~~No~~

Committee Statement: Assembly Yes ~~No~~

Senate Yes ~~No~~

Fiscal Note Yes ~~No~~

Veto Message Yes ~~No~~

Message on signing Yes ~~No~~

Following were printed:

Reports Yes ~~No~~

Hearings Yes ~~No~~

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SENATE, No. 1208

STATE OF NEW JERSEY

INTRODUCED APRIL 17, 1980

By Senator WALLWORK

Referred to Committee on State Government, Federal and
Interstate Relations and Veterans Affairs

AN ACT to amend the title of "An act designating the State souvenir of deceased veterans of the World Wars and regulating the sale thereof," approved May 18, 1938 (P. L. 1938, c. 207), as said title was amended by P. L. 1965, c. 28, so that the same shall read "An act designating the State souvenir of deceased veterans of the World Wars and military conflicts involving the Armed Forces of the United States, and regulating the sale thereof," and to amend the body of said act.

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

1 1. The title of P. L. 1938, c. 207 (C. 38:25A-1 et seq.) as said
2 title was amended by P. L. 1965, c. 28, is amended to read as
3 follows:

4 An act designating the State souvenir of deceased veterans of
5 the World Wars *and military conflicts involving the Armed Forces*
6 *of the United States*, and regulating the sale thereof.

1 2. Section 1 of P. L. 1938, c. 207 (C. 38:25A-1) is amended to
2 read as follows:

3 1. After the passage of this act the poppy or its replica in any
4 material form shall be the recognized souvenir of the deceased
5 veterans of the World Wars *and military conflicts involving the*
6 *Armed Forces of the United States.*

1 3. Section 3 of P. L. 1938, c. 207 (C. 38:25A-3) is amended to
2 read as follows:

3 3. The sale and offering for sale of such poppy or poppies as
4 heretofore mentioned shall be restricted to veterans' organizations
5 chartered by an Act of Congress and to their auxiliaries, where
6 such funds are devoted exclusively for the benefit of **veterans 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.

7 *the** World Wars *and* **other** military conflicts ***【veterans】*** and
8 their families and such veteran organizations in the State of
9 New Jersey.

1 4. Section 4 of P. L. 1938, c. 207 (C. 38:25A-4) is amended to
2 read as follows:

3 4. The *11-day* period of such restricted sale designed to provide
4 funds for such charitable purposes shall be the 10 days immediately
5 preceding Memorial Day**【**, commonly known as Decoration Day**】**
6 *and Memorial Day*, of each year.

1 5. This act shall take effect immediately.

- 2
3 4. The *11-day* period of such restricted sale designed to provide
4 funds for such charitable purposes shall be the 10 days immediately
5 preceding Memorial Day~~],~~ commonly known as Decoration Day~~]~~
6 and Memorial Day, of each year.
- 1 5. This act shall take effect immediately.

STATEMENT

The poppy is currently designated under our law as the State souvenir of deceased veterans of "the World Wars." Sales of poppies or replicas of poppies to raise funds for veterans projects is restricted to veterans organizations chartered by Congress during the "10 days immediately preceding and including Memorial Day." Both of these aspects of the law require clarification.

While it is fortunate for the world that there have been no world wars since World War II, the Armed Forces of the United States have been involved in military conflicts since that time and many American veterans have sacrificed their lives for their country in these conflicts. Their sacrifice was no less than that of deceased veterans of "the World Wars," and should be equally recognized under the State souvenir for deceased veterans. This bill accords such recognition by including deceased veterans of "military conflicts involving the Armed Forces of the United States" under the State souvenir.

With respect to the time period for restricted sale of poppies, there is some confusion over whether the law currently provides a 10-day or an 11-day period. This bill provides that the annual period for restricted sale of poppies is an 11-day period "beginning on the tenth day before Memorial Day and ending on Memorial Day."

S 1208 (1981)

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

STATEMENT TO
SENATE, No. 1208
with Senate committee amendments

STATE OF NEW JERSEY

DATED: JUNE 9, 1980

The purpose of this bill is to designate the poppy as the State souvenir of deceased veterans of all armed conflicts in which the Armed Forces of the United States have participated. The language of the present law restricts such designation to deceased veterans of the "World Wars" thus excluding those who have died in such conflicts as the Korean War and the war in Vietnam. The bill also permits the sale of poppies on the 10 days immediately preceding Memorial Day and on Memorial Day as well. This extends the period of sale authorized by law from 10 days to 11 days.

COMMITTEE AMENDMENT

The committee made a minor amendment to clarify the meaning of the bill.