

SENATE, No. 2821

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED AUGUST 17, 2020

Sponsored by:

Senator ANTHONY M. BUCCO

District 25 (Morris and Somerset)

Senator CHRIS A. BROWN

District 2 (Atlantic)

Co-Sponsored by:

Senator Corrado

SYNOPSIS

Requires Adjutant General of DMVA create program for veterans to receive evaluation and treatment for PTSD and total brain injury.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/19/2020)

1 AN ACT concerning veterans and post-traumatic stress disorder and
2 total brain injury, and amending N.J.S.38A:3-6.

3

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

6

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

8 38A:3-6. Under the direction of the Governor, the Adjutant
9 General shall:

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

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

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

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

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

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

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

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

38 (i) Exercise the powers vested in him and perform such other
39 duties and functions as required of him by the Governor and by
40 federal and State laws and regulations.

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

44 (k) Appoint and remove officers and other personnel employed
45 within the department, subject to the provisions of N.J.S.38A:3-8

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

Matter underlined thus is new matter.

1 and Title 11A of the New Jersey Statutes and other applicable
2 statutes, except as herein otherwise specifically provided.

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

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

12 (n) Organize the work of the department in divisions not
13 inconsistent with the provisions of this act and in bureaus and other
14 organizational units as the Adjutant General may determine to be
15 necessary for efficient and effective operation.

16 (o) Adopt, issue and promulgate, in the name of the department,
17 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
18 (C.52:14B-1 et seq.), such rules and regulations as may be
19 authorized by law.

20 (p) Institute, or cause to be instituted, legal proceedings or
21 processes as necessary to properly enforce and give effect to any of
22 the Adjutant General's powers or duties.

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

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

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

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

39 (u) Supervise and operate the New Jersey Veterans' Memorial
40 Home-Menlo Park, the New Jersey Veterans' Memorial Home-
41 Vineland, the New Jersey Veterans' Memorial Home-Paramus and
42 the New Jersey Veterans' Memorial Cemetery-Arneytown.

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

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

- 1 (x) Administer the federally-funded training and rehabilitation
2 programs, except for the administration of federally-funded
3 education and training programs set forth in 38 U.S.C. s.36 et seq.
- 4 (y) Provide current information to the general public on State
5 and federal veterans' programs and benefits; create a comprehensive
6 public webpage for women veterans that includes, but is not limited
7 to, the following information: veterans' legal rights, benefits,
8 medical and insurance issues, education, the transition from active
9 service to civilian life, and other resources available to veterans.
- 10 (z) Develop and administer the New Jersey Homeless Veterans
11 Grant Program established pursuant to section 3 of P.L.2013, c.239
12 (C.38A:3-6.2b).
- 13 (aa) Encourage and facilitate the registration of each service
14 member residing in New Jersey with the United States Department
15 of Veterans Affairs, or its successor agency. Registration shall take
16 place, as appropriate, when the service member returns from
17 deployment on federal active duty or is discharged or as soon as
18 possible thereafter. The term "service member" shall mean
19 members of the New Jersey National Guard and members of the
20 United States Armed Forces, or a Reserve component thereof, when
21 the information on each member is made available to the
22 department.
- 23 (bb) Develop and coordinate a volunteer-based program
24 comprised of former servicemembers to assist and mentor veterans
25 who become involved with the criminal justice system, while
26 criminal proceedings are pending and afterward, in accessing
27 assistance to resolve the underlying problems that led or contributed
28 to the veteran's involvement with the criminal justice system
29 including, but not limited to, offering support and guidance,
30 securing housing, employment linkages, job training, education,
31 transportation, disability compensation claims, discharge status,
32 health care and other linkages available at the local, State and
33 federal level that can ease the challenge of reentry into civilian life.
34 In addition, the Adjutant General shall develop a registry of
35 volunteer mentors and make the registry available pursuant to
36 P.L.2017, c.42 (C.2C:43-23 et al.).
- 37 (cc) Prepare and disseminate a directory of Veterans Diversion
38 Resource Program entities currently available within New Jersey
39 pursuant to P.L.2017, c.42 (C.2C:43-23 et al.).
- 40 (dd) Create a comprehensive public webpage for Gold Star
41 family members that includes, but is not limited to, the following
42 information: State benefits; State and county liaisons; a list of
43 service members from New Jersey killed in action; links to other
44 Gold Star family organizations; and such other information and
45 resources as the Adjutant General deems necessary and beneficial to
46 a Gold Star family member. A "Gold Star family member" means
47 the spouse, domestic partner, partner in a civil union, parent,

1 brother, sister, child, legal guardian, or other legal custodian,
2 whether of the whole or half blood, or by adoption.

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

8 (ff) Develop, in coordination with appropriate departments and
9 agencies, a program to assist veterans in accessing evaluation and
10 treatment for a post-traumatic stress disorder or total brain injury
11 diagnosis related to military service. The program may include
12 offering support and guidance, transportation, assistance filing
13 disability compensation claims, assistance updating discharge
14 status, health care and other services or programs available at the
15 local, State and federal level for obtaining and addressing a post-
16 traumatic stress disorder or total brain injury diagnosis. A
17 “veteran” means a person who served in the Armed Forces of the
18 United States or a Reserve component thereof, including the New
19 Jersey National Guard.

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

21
22 2. This act shall take effect immediately.
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25 STATEMENT

26
27 This bill requires the Adjutant General of the New Jersey
28 Department of Military and Veterans Affairs to develop, in
29 coordination with appropriate departments and agencies, a program
30 to assist veterans in accessing evaluation and treatment for a post-
31 traumatic stress disorder or total brain injury diagnosis related to
32 military service. The program may include offering support and
33 guidance, transportation, assistance filing disability compensation
34 claims, assistance updating discharge status, health care and other
35 services or programs available at the local, State and federal level
36 for obtaining and addressing a post-traumatic stress disorder or total
37 brain injury diagnosis.

38 Under the bill, “veteran” means a person who served in the
39 Armed Forces of the United States or a Reserve component thereof,
40 including the New Jersey National Guard.