

ASSEMBLY, No. 2070

STATE OF NEW JERSEY

INTRODUCED JUNE 3, 1996

By Assemblyman DALTON

1 AN ACT concerning veterans' preference and amending N.J.S.11A:5-1.

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

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6 1. N.J.S.11A:5-1 is amended to read as follows:

7 11A:5-1. Definitions. As used in this chapter:

8 a. "Disabled veteran" means any veteran who is eligible to be
9 compensated for a service-connected disability from war service by the
10 United States Veterans Administration or who receives or is entitled
11 to receive equivalent compensation for a service-connected disability
12 which arises out of military or naval service as set forth in this chapter
13 and who has submitted sufficient evidence of the record of disability
14 incurred in the line of duty to the commissioner on or before the
15 closing date for filing an application for an examination;

16 b. "Veteran" means any honorably discharged soldier, sailor,
17 marine or nurse who served in any army or navy of the allies of the
18 United States in World War I, between July 14, 1914 and November
19 11, 1918, or who served in any army or navy of the allies of the United
20 States in World War II, between September 1, 1939 and September 2,
21 1945 and who was inducted into that service through voluntary
22 enlistment, and was a citizen of the United States at the time of the
23 enlistment, and who did not renounce or lose his or her United States
24 citizenship; or any soldier, sailor, marine, airman, nurse or army field
25 clerk, who has served in the active military or naval service of the
26 United States and has been discharged or released under other than
27 dishonorable conditions from that service in any of the following wars
28 or conflicts and who has presented to the commissioner sufficient
29 evidence of the record of service on or before the closing date for
30 filing an application for an examination:

31 (1) World War I, between April 6, 1917 and November 11, 1918;

32 (2) World War II, on or after September 16, 1940, who shall have
33 served at least 90 days beginning on or before December 31, 1946 in
34 such active service, exclusive of any period of assignment for a course

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

Matter underlined thus is new matter.

1 of education or training under the Army Specialized Training Program
2 or the Navy College Training Program, which course was a
3 continuation of a civilian course and was pursued to completion, or as
4 a cadet or midshipman at one of the service academies; except that any
5 person receiving an actual service-incurred injury or disability shall be
6 classed a veteran whether or not that person has completed the 90-day
7 service;

8 (3) Korean conflict, on or after June 23, 1950, who shall have
9 served at least 90 days beginning on or before January 31, 1955, in
10 active service, exclusive of any period of assignment for a course of
11 education or training under the Army Specialized Training Program or
12 the Navy College Training Program, which course was a continuation
13 of a civilian course and was pursued to completion, or as a cadet or
14 midshipman at one of the service academies; except that any person
15 receiving an actual service-incurred injury or disability shall be classed
16 as a veteran, whether or not that person has completed the 90-day
17 service;

18 (4) Vietnam conflict, on or after December 31, 1960, who shall
19 have served at least 90 days beginning on or before May 7, 1975, in
20 active service, exclusive of any period of assignment for a course of
21 education or training under the Army Specialized Training Program or
22 the Navy College Training Program, which course was a continuation
23 of a civilian course and was pursued to completion, or as a cadet or
24 midshipman at one of the service academies, and exclusive of any
25 service performed pursuant to the provisions of section 511(d) of Title
26 10, United States Code, or exclusive of any service performed
27 pursuant to enlistment in the National Guard or the Army Reserve,
28 Naval Reserve, Air Force Reserve, Marine Corps Reserve, or Coast
29 Guard Reserve; except that any person receiving an actual
30 service-incurred injury or disability shall be classed as a veteran,
31 whether or not that person has completed the 90-day service as
32 provided;

33 (5) Lebanon peacekeeping mission, on or after September 26,
34 1982, who has served in Lebanon or on board any ship actively
35 engaged in patrolling the territorial waters of that nation for a period,
36 continuous or in the aggregate, of at least 14 days commencing on or
37 before December 1, 1987 or the date of termination of that mission, as
38 proclaimed by the President of the United States or Congress,
39 whichever date of termination is the latest, in such active service;
40 provided, that any person receiving an actual service-incurred injury
41 or disability shall be classed as a veteran whether or not that person
42 has completed the 14 days service as herein provided;

43 (6) Grenada peacekeeping mission, on or after October 23, 1983,
44 who has served in Grenada or on board any ship actively engaged in
45 patrolling the territorial waters of that nation for a period, continuous
46 or in the aggregate, of at least 14 days commencing on or before

1 November 21, 1983 or the date of termination of that mission, as
2 proclaimed by the President of the United States or Congress,
3 whichever date of termination is the latest, in such active service;
4 provided, that any person receiving an actual service-incurred injury
5 or disability shall be classed as a veteran whether or not that person
6 has completed the 14 days' service as herein provided;

7 (7) Panama peacekeeping mission, on or after December 20, 1989
8 or the date of inception of that mission, as proclaimed by the President
9 of the United States or Congress, whichever date of inception is
10 earliest, who has served in Panama or on board any ship actively
11 engaged in patrolling the territorial waters of that nation for a period,
12 continuous or in the aggregate, of at least 14 days commencing on or
13 before January 31, 1990 or the date of termination of that mission, as
14 proclaimed by the President of the United States or Congress,
15 whichever date of termination is the latest, in such active service;
16 provided, that any person receiving an actual service-incurred injury
17 or disability shall be classed as a veteran whether or not that person
18 has completed the 14 days' service as herein provided;

19 (8) Operation "Desert Shield/Desert Storm" mission in the Arabian
20 peninsula and the Persian Gulf, on or after August 2, 1990 or the date
21 of inception of that operation, as proclaimed by the President of the
22 United States or Congress, whichever date of inception is earliest, who
23 has served [in the Arabian peninsula or on board any ship actively
24 engaged in patrolling the Persian Gulf] for a period, continuous or in
25 the aggregate, of at least 14 days commencing on or before the date
26 of termination of that mission, as proclaimed by the President of the
27 United States, Congress or the Governor, whichever date of
28 termination is the latest, in such active service; provided, that any
29 person receiving an actual service-incurred injury or disability shall be
30 classed as a veteran whether or not that person has completed the 14
31 days' service as herein provided.

32 c. "War service" means service by a veteran in any war or conflict
33 described in this chapter during the periods specified.

34 (cf: P.L.1995,c.406,s.1)

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36 2. This act shall take effect immediately and shall apply to civil
37 service lists in existence on the effective date of this act and to all lists
38 prepared thereafter.

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STATEMENT

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43 Under current law, veterans who were in active service during
44 Operation "Desert Shield/Desert Storm" must have served in the
45 Arabian peninsula or on board any ship actively engaged in patrolling
46 the Persian Gulf for at least 14 days to qualify for veterans' preference.

1 This bill eliminates that overseas service requirement in granting
2 veterans' preference for civil service purposes.

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7 Eliminates the requirement of overseas service in Operation "Desert
8 Shield/Desert Storm" to qualify for civil service veterans' preference.