

# SENATE, No. 3894

## STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED JUNE 10, 2021

**Sponsored by:**

**Senator JOSEPH PENNACCHIO**

**District 26 (Essex, Morris and Passaic)**

**Senator VIN GOPAL**

**District 11 (Monmouth)**

**SYNOPSIS**

Creates permanent commission to study various statutory definitions of veteran, disabled veteran, and service-disabled veteran.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/15/2021)

1   **AN ACT** creating a permanent commission to study the various  
2       statutory definitions of veteran, disabled veteran, and service-  
3       disabled veteran, and supplementing chapter 3 of Title 38A of  
4       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.   The Legislature finds and declares that:

10      a.   Over 330,000 veterans of the United States military call the  
11      State of New Jersey home.

12      b.   In New Jersey, veterans receive numerous benefits for their  
13      service and sacrifice, including property tax deductions, educational  
14      benefits, and business incentives.

15      c.   In addition, New Jersey offers several perks for veterans,  
16      including special license plates, free or reduced fee beach access,  
17      and financial assistance.

18      d.   The State has traditionally taken steps to protect veterans  
19      and their families as a form of gratitude for protecting the people of  
20      the United States and this State.

21      e.   However, for every benefit and perk awarded to veterans of  
22      this State, numerous definitions of veteran, disabled veteran, and  
23      service-disabled veteran exist in the statutes.

24      f.   The various definitions, which include over 20 definitions of  
25      the meaning of veteran alone, make it difficult for veterans to  
26      understand if they are eligible for the benefits.

27      g.   Some of the definitions include requiring active service in  
28      specific wars and conflicts, requiring that a veteran must have  
29      served at least 90 days on active duty in the Armed Forces, or  
30      simply requiring that a veteran served in the Armed Forces.

31      h.   The confusion is even more profound for disabled veterans  
32      and service-disabled veterans, as the definitions occasionally blend  
33      together and can lead to many disabled or service-disabled veterans  
34      being denied or ruled ineligible for certain benefits.

35      i.   There is a critical need for the State to study how all  
36      veterans are defined to better serve all veterans of this State.

37      j.   The establishment of a study commission of both executive  
38      and legislative appointees, along with the expertise of the military  
39      community, would fulfill such a need and lead to an enhancement  
40      of the services offered to all veterans of the State.

41

42      2.   a.   There is hereby created, in but not of the Department of  
43      Military and Veterans' Affairs, a permanent study commission  
44      consisting of five members as follows:

45          (1) one member, appointed by the Governor who shall be an  
46          employee of the Department of Military and Veterans' Affairs;

1 (2) two members, of whom one shall be appointed by the  
2 President of the Senate and one shall be appointed by the Minority  
3 Leader of the Senate; and

4 (3) two members, of whom one shall be appointed by the  
5 Speaker of the General Assembly and one shall be appointed by the  
6 Minority Leader of the General Assembly.

7 b. Any vacancy in the membership of the commission shall be  
8 filled in the same manner as the original appointment.

9 c. Members of the commission shall be appointed within 30  
10 days after the effective date of this act, and shall hold their initial  
11 organizational meeting as soon as practicable, but no later than 30  
12 days following appointment of a majority of its authorized  
13 membership. At the initial organizational meeting, the members  
14 shall elect a chairperson and vice-chairperson from among the  
15 members of the study commission by a majority vote of the  
16 members present. The chairperson may appoint a secretary, who  
17 need not be a member of the commission.

18 d. Members of the study commission shall serve without  
19 compensation, but shall be eligible for reimbursement for necessary  
20 and reasonable expenses incurred in the performance of their  
21 official duties within the limits of funds appropriated or otherwise  
22 made available to the commission.

23 e. A majority of all the authorized members of the study  
24 commission shall constitute a quorum, and three members of the  
25 commission shall constitute a majority. No action of the study  
26 commission shall be taken without the affirmative vote of a  
27 majority of all the authorized members of the study commission,  
28 except for the election of the chairperson and vice-chairperson at  
29 the initial organizational meeting pursuant to subsection c. of this  
30 section.

31 f. The Department of Military and Veterans' Affairs shall  
32 provide primary staff support to the study commission. The  
33 commission shall also be entitled to call to its assistance and avail  
34 itself of the services of the employees of any State, county, or  
35 municipal department, board, bureau, commission, or agency as it  
36 may require and as may be available for its purposes.

37  
38 3. a. The purpose of the study commission shall be to (1)  
39 determine the various definitions of "veteran," "disabled veteran,"  
40 "service-disabled veteran," and any other definition of veteran in  
41 the statutes, and (2) recommend changes to such definitions in the  
42 statutes that may provide greater uniformity and be less restrictive.

43 b. The study commission shall:

44 (1) compile and analyze the various definitions of "veteran,"  
45 "disabled veteran," "service-disabled veteran," and any other  
46 definition of veteran in the statutes;

1 (2) identify statutes with unique and restrictive requirements for  
2 the various definitions and determine if the requirements may be  
3 revised for the benefit of more uniform definitions;

4 (3) identify potential revisions to be made to the statutes to  
5 provide for a clearer understanding of the requirements for  
6 qualification under the various definitions;

7 (4) consult with the military community for expertise and input  
8 concerning paragraphs (1) through (3) of this subsection; and

9 (5) utilize the findings of the study commission, and the  
10 expertise from the military community, to recommend changes to  
11 the various definitions and submit the findings and  
12 recommendations in the initial report and all subsequent reports,  
13 pursuant to subsection c. of this section.

14 c. The study commission shall prepare and issue an annual  
15 report on its findings, conclusions, and recommendations and shall  
16 submit the report to the Governor, the Legislature in accordance  
17 with the requirements of section 2 of P.L.1991, c.164 (C.52:14-  
18 19.1), the Senate Military and Veterans' Affairs Committee, or its  
19 successor, and the General Assembly Military and Veterans' Affairs  
20 Committee, or its successor. The first annual report shall be issued  
21 no later than 12 months after the commission organizes, and each  
22 subsequent annual report shall be issued no later than 12 months  
23 from the date of the last report.

24  
25 4. This act shall take effect immediately.  
26  
27

#### 28 STATEMENT 29

30 This bill establishes permanent study commission on the various  
31 statutory definitions of veteran, disabled veteran, and service-  
32 disabled veteran.

33 Of the total membership, one member would be appointed by the  
34 Governor, one member would be appointed by the President of the  
35 Senate, one member would be appointed by the Senate Minority  
36 Leader, one member would be appointed by the Speaker of the  
37 General Assembly, and one member would be appointed by the  
38 General Assembly Minority Leader. The appointee by the  
39 Governor will be an employee of the Department of Military and  
40 Veterans' Affairs.

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42 the various definitions of "veteran," "disabled veteran," "service-  
43 disabled veteran," and any other definition of veteran in the  
44 statutes, and (2) recommend changes to such definitions in the  
45 statutes that may provide greater uniformity and be less restrictive.

46 The study commission would:

- 1 (1) compile and analyze the various definitions of “veteran,”  
2 “disabled veteran,” “service-disabled veteran,” and any other  
3 definition of veteran in the statutes;
  - 4 (2) identify statutes with unique and restrictive requirements for  
5 the various definitions and determine if the requirements may be  
6 revised for the benefit of more uniform definitions;
  - 7 (3) identify potential revisions to be made to the statutes to  
8 provide for a clearer understanding of the requirements for  
9 qualification under the various definitions;
  - 10 (4) consult with the military community for their expertise and  
11 input on its work; and
  - 12 (5) utilize the findings of the study commission, and the  
13 expertise from the military community, to recommend changes to  
14 the various definitions.
- 15 The bill requires the study commission to prepare and issue an  
16 annual report on its findings, conclusions, and recommendations  
17 and submit it to the Governor, the Legislature, the Senate Military  
18 and Veterans’ Affairs Committee, or its successor, and the General  
19 Assembly Military and Veterans’ Affairs Committee, or its  
20 successor. The first annual report will be issued no later than 12  
21 months after the commission organizes.