

Government Affairs Report

December 8, 2019

New Jersey Legislative Update

11,244 bills have been introduced as of December 3, 2019, with over 536 military and veterans' affairs bills included in that amount. These include bills in both chambers, Senate Concurrent Resolutions, Senate Joint Resolutions, Senate Resolutions, Assembly Concurrent Resolutions, Assembly Joint Resolutions and Assembly Resolutions. And the 218th session runs mid-January 2020, so it is likely there will be more introductions.

October 28, 2019 I attended a press conference on Assembly Veteran Bill Package hosted by Senator Bob Andrzejczak, Assemblymen Bruce Land & Matt Milam from NJ 1st District and Assembly Speaker Craig Coughlin. They spoke about a package of bills that are advancing through the state legislature on behalf of New Jersey veterans and military members. They discussed issues affecting both current and former soldiers in our state and how the proposed legislation will help address the issues.

Bill topics include issues such as special identification cards and license plates, housing for veterans experiencing homelessness and bolstering employment protections.

I spoke with all four and Daniel Smith – Senior Advisor to the Speaker and Kevin McArdle – Director of Communications for the New Jersey General Assembly Majority Office.

The event was held at the Vietnam Veterans Memorial Wall in Wildwood.

Bills Becoming Public Law

Nothing since August 23, 2019.

PL2017, c.20

Thursday August 22, 2019 I sent an email to Deborah Cornavaca, Deputy Chief of Staff for Governor Murphy, requesting a follow up on implement this legislation which was approved February 10, 2017 and went into effect immediately, concerning discounted motor bus and rail passenger fares for disabled veterans and amending P.L.1973, c.126 and P.L.1987, c.99.

If one hunts and pecks enough on the NJ Transit website under the section titled Military Personnel and Their Dependents this can be found:

Military personnel and their dependents may use the one-way reduced ticket upon presenting their valid military or military-dependent ID cards. Eligible military personnel include Active Duty, Reserve and National Guard, and those with official "Retired" status from the Army, Navy, Air Force, Marines or Coast Guard. When purchasing your ticket from a ticket vending machine or through MyTix (on the app), select Senior/Disabled to obtain the discounted fare. Tickets also may be purchased at ticket offices at stations. Veterans with service connected disabilities may present a valid Veterans Affairs (VA) identification card which indicates "service connected" to use the one-way reduced ticket option.

Assembly Military and Veterans' Affairs Committee Hearing November 7, 2019 Results

A3883/S2601 Veterans cremains-revise provisions concerning claiming and proper disposal. Reported out of Assembly Committee, 2nd Reading.

A4089/S2607 Abandoned homes for homeless veterans-authorizes grants to purchase/rehab. Reported and referred to Assembly Appropriations Committee.

A4833/S2784 Gold Star Family Member-co. clerk or register of deeds/mortgages issue ID card. Reported out of Assembly Committee, 2nd Reading.

A5818/S3594 Exempts discharge of student loan debt of certain veterans through the federal Total and Permanent Disability discharge process from taxation under the gross income tax. Reported and referred to Assembly Appropriations Committee.

A5819 Provides certain employment protections for National Guard members employed in New Jersey. Reported out of Assembly Committee, 2nd Reading.

ACR57 Veteran property tax deduction & exemption-extend to non-wartime veterans. Reported out of Assembly Committee, 2nd Reading. Concurrent Resolution Placed on Desk in Assembly.

AJR21/SJR59 Civil War Veterans Recognition Month-designates May; honor Union Civil War vets. Reported out of Assembly Comm. with Amendments, 2nd Reading.

AJR116/SJR83 F-35 fighter jets-express support to base at 177th Fighter Wing in Atlantic City. Reported out of Assembly Committee, 2nd Reading.

S3594 National Guard members-provides certain employment protections. Reported out of Assembly Committee, 2nd Reading.

Senate Transportation Committee Hearing November 14, 2019 Results

S730 Establishes special license plates for honorably discharged veterans. Reported from Senate Committee, 2nd Reading.

Senate Higher Education Committee Hearing November 18, 2019 Results

A790/S244 "Combat to College Act"; grants priority course registration to military service members and veterans attending public institutions of higher education. Reported from Senate Committee, 2nd Reading.

A791/S1618 Requires public institutions of higher education to grant academic credit to certain veterans. Reported from Senate Committee with Amendments, 2nd Reading.

Senate Military and Veterans' Affairs Committee Hearing November 18, 2019 Results

ACR221 Urges Congress to pass legislation that exempts military retirement pay from federal income taxation. Reported from Senate Committee, 2nd Reading.

AJR11 Designates fourth week of March of each year as "Military Caregivers Week." Reported from Senate Committee, 2nd Reading.

AJR160 Commemorates 100th anniversary of Armistice during World War I. Reported from Senate Committee, 2nd Reading.

S1906 Allows veteran or personal representative to withdraw honorable discharge papers from county clerk. Reported from Senate Committee, 2nd Reading.

S2396 Requires DMVA notify certain veteran organizations of names of deceased veterans. Reported from Senate Committee with Amendments, 2nd Reading.

S2670 Provides civil service preference to military servicemembers who served in humanitarian Operations Provide Comfort and Provide Comfort II. Reported from Senate Committee, 2nd Reading.

S3627 Increases days of paid leave of absence for public employees who serve in United States Reserves. Referred to Senate Budget and Appropriations Committee.

S3664 Concerns professional licensing and application fees for spouse or dependent of active duty member of United States Armed Forces. Reported from Senate Committee, 2nd Reading.

S3830 Concerns professional licensing and application fees for spouse or dependent of active duty member of United States Armed Forces. Reported from Senate Committee, 2nd Reading.

S3833 Establishes uniform standard for acceptable proof of veteran status for veteran's ID cards and various State and local programs. Reported from Senate Committee, 2nd Reading.

Pending Introduction and Referral:

S4231 Establishes price preference program on State contracts for service-disabled veteran-owned businesses. Referred to Senate Budget and Appropriations Committee.

Assembly Military and Veterans' Affairs Committee Hearing December 6, 2019 Results

ACR57 Proposes constitutional amendment to extend veterans' property tax deduction and veterans' property tax exemption to veterans who did not serve in time of war or other emergency. Public hearing held in compliance with Article IX, paragraph 1 of the New Jersey Constitution and Rule 19:3 of the General Assembly on the Assembly Concurrent Resolution: ACR57.

Fewer Veterans Serving in Trenton

The recent election of 2019 has provided some interesting moments.

January 15, 2019 former Assemblyman Bob Andrzejczak was sworn in as a member of the Senate NJ-1 (includes Cape May County, much of Cumberland County and Corbin City, Estell Manor and Weymouth in Atlantic County) and now serves as Vice Chairman of the Senate Military and Veterans' Affairs Committee. He lost the recent election and his term will end January 2020. Senator Andrzejczak had volunteered to set up a veteran legislative caucus made up of the elected officials from both parties in both chambers in Trenton who are veterans. Not sure what will happen now.

Assemblyman Matthew W. Milam representing NJ-1 was appointed to fill the vacancy in the Assembly created when Assemblyman Andrzejczak moved to the Senate. Milam sits on the Assembly Military and Veterans' Affairs Committee. He too lost the recent election.

Assemblyman Bruce Land, representing NJ-1 also lost the election. A Vietnam combat veteran, he previously served on the Assembly Military and Veterans' Affairs Committee.

Assembly Voting Results November 25, 2019

A111 Authorizes special Combat Action Badge license plate program. Passed 73-0-0.

A133 Establishes special license plates for honorably discharged veterans. Passed 72-0-0.

A828 Provides for special Bronze Star license plates. Passed 74-0-0.

A4233/S2106 Requires Adjutant General of DMVA to issue State flag to resident enrolling in federal service academy. Substituted by S2106, passed 74-0-0.

A5819/S3594 Provides certain employment protections for National Guard members employed in New Jersey. Substituted by S3594, passed 73-0-0.

AJR21/SJR59 Designates May of each year as "Civil War Veterans Recognition Month," in honor of the Grand Army of the Republic and the Sons of Union Veterans of the Civil War. Substituted by SJR59, passed 74-0-0.

AJR116/SJR83 Expresses support for United States Air Force to base F-35 fighter jets at 177th Fighter Wing in Atlantic City. Substituted by SJR83, passed 73-0-1.

AR97 Urges President and Congress of US to enact H.R. 500 which prevents IRS from collecting taxes on amount of student loan forgiven for deceased veterans. Passed 72-0-0.

Bills Introduced October & November 2019

S4142 Requires public institution of higher education to refund course tuition and fees to certain service members and to permit late registration for veterans and service members. Referred to Senate Higher Education Committee.

S4174 Requires school district to allow graduating student to wear military sash while participating in high school graduation ceremony. Referred to Senate Education Committee.

S4175 Requires DMAVA to partner with National Guard Association of New Jersey to offer State-sponsored life insurance for members of New Jersey National Guard. Referred to Senate Military and Veterans' Affairs Committee.

S4180 Revises requirements and process for temporary courtesy licenses and certificates issued by State Board of Examiners, NJ Board of Nursing, and other professional and occupational licensing boards to nonresident military spouses. Referred to Senate Commerce Committee.

S4231 Establishes price preference program on State contracts for service-disabled veteran-owned businesses. Reported from Senate Military and Veterans' Affairs Committee, 2nd Reading, referred to Senate Budget and Appropriations Committee.

SCR181 Proposes constitutional amendment to increase veterans' property tax deduction to \$1,000, and base future deductions on annual CPI increases. Referred to Senate Military and Veterans' Affairs Committee.

SJR154 Designates month of March as "Military and Law Enforcement Working Dogs Month." Referred to Senate Law and Public Safety Committee.

A5783 Permits veterans, for civil service purposes, to be defined as a veteran or disabled veteran under federal or State definition of veteran. Referred to Assembly Military and Veterans' Affairs Committee.

A5788 Requires EDA administer small business loan program to provide loans to small businesses owned or controlled by certain veterans. Referred to Assembly Commerce and Economic Development Committee.

A5789 Requires Department of Labor and Workforce Development to apply smart labor force data to direct veterans to in-demand fields. Referred to Assembly Military and Veterans' Affairs Committee.

A5791 Extends veteran's gross income tax exemption to spouses of deceased veterans. Referred to Assembly Military and Veterans' Affairs Committee.

A5799 Requires school district to allow graduating student to wear military sash while participating in high school graduation ceremony. Referred to Assembly Military and Veterans' Affairs Committee.

A5805 Provides tax credits for hiring certain military spouses. Referred to Assembly Military and Veterans' Affairs Committee.

A5818 Exempts discharge of student loan debt of certain veterans through the federal Total and Permanent Disability discharge process from taxation under the gross income tax. Reported from Assembly Military and Veterans' Affairs Committee, referred to Assembly Appropriations Committee.

A5819 Provides certain employment protections for National Guard members employed in New Jersey. Substituted by S3594, passed Assembly (73-0-0) 11/25/2019.

A5852 Amends Fiscal Year 2020 appropriations act to include number of degrees awarded to veterans in Outcomes-Based Allocation funding for senior public institutions of higher education. Referred to Assembly Military and Veterans' Affairs Committee.

A5924 Upgrades certain crimes of misrepresenting oneself as member or veteran of US Armed Forces or organized militia. Referred to Assembly Military and Veterans' Affairs Committee.

A5925 Establishes Women Veterans Coordinator in DMAVA. Referred to Assembly Military and Veterans' Affairs Committee.

A5933 Requires DMAVA to partner with National Guard Association of New Jersey to offer State-sponsored life insurance for members of New Jersey National Guard. Referred to Assembly Military and Veterans' Affairs Committee.

A5934 Extends eligibility for veterans' property tax deduction and disabled veterans property tax exemption to members of United States Armed Forces who served during Libyan conflict. Referred to Assembly Military and Veterans' Affairs Committee.

AJR224 Designates month of March as "Military and Law Enforcement Working Dogs Month." Referred to Assembly Law and Public Safety Committee.

Indigent Veterans Burial

A5576/S3988 Defines indigent veteran and veteran status for certain veteran interment purposes. 6/13/2019 introduced, referred to Assembly State and Local Government Committee with 3 primary sponsors (Armato, DeAngelo, Mazzeo) and 6 co-sponsors (Gove, Mukherji, Land, Murphy, Benson, Milam). 6/24/2019 introduced in the Senate, referred to Senate Military and Veterans' Affairs Committee with 2 primary sponsors (Greenstein, Cruz-Perez) and 1 co-sponsor(Andrzejczak). Status – unchanged since last this summer. Reached out to sponsors and co-sponsors urging action November 21, 2019.

This bill defines indigent veteran for county veteran interment purposes. Current law does not define indigent, but under this bill, "indigent" will mean a person who has an income that is below 200 percent of the federal poverty level. "Poverty level" will mean the official poverty level based on family size established and adjusted under the "Community Services Block Grant Act," of Pub.L.97-35 (42 U.S.C. s.9902(2)).

The bill adds National cemeteries as a permissible burial site for a deceased indigent veteran. The bill also changes the discharge status of the veteran from honorable discharge to other than dishonorable, encompassing a larger number of veterans.

HR96 Follow-up

July 1, 2019 I sent a request to reach out to our members of Congress to seek their support for HR96, legislation to require the Secretary of Veterans Affairs to furnish dental care in the same manner as any other medical service. To date there are 65 co-sponsors, just two from New Jersey, Representatives Van Drew and Watson Coleman.

NJ Updates and Course of Action

Proposal to Expand \$250 Veterans' Property Tax Deduction to Peacetime Veterans.

ACR57/SCR123, legislation that proposes a constitutional amendment to extend veterans' property tax deduction and veterans' property tax exemption to veterans who did not serve in time of war or other emergency has been Placed on the Desk in the Assembly and the Senate November 7, 2019. It should be coming up for a vote very soon. What is lacking however is any action on the enabling legislation. A public hearing is being held in compliance with Article IX, paragraph 1 of the New Jersey Constitution and Rule 19:3 of the General Assembly on the following Assembly Concurrent Resolution: ACR-57 December 6, 2019.

A1268/S2599 would broaden the eligibility for the veterans' property tax deduction and the veterans' property tax exemption by eliminating the requirement that a veteran serve during specific wars or other periods of emergency, and, in certain instances, that a veteran serve in a war zone. Instead of service during specific dates or in specific locations, the bill requires a veteran to serve for at least 90 days, exclusive of certain types of initial training, in order to be eligible for any of the primary veterans' benefits. Alternatively, the bill requires a veteran of a reserve component of the United States Armed Forces (including the National Guard) to serve the entire period to which called to federal active service, exclusive of training, in order to be eligible for the primary veterans' benefits. A veteran who is discharged as the result of a service-connected disability will be eligible even if the veteran has not completed the 90 days' service or the period to which called to federal active service.

Eligibility for the property tax deduction and the property tax exemption are contingent upon voter approval of an authorizing amendment to the State Constitution. ACR57/SCR123 is the concurrent resolution to amend the Constitution to extend the property tax deduction and veterans' property tax exemption.

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"Set-Aside Act for Disabled Veterans' Businesses."

A5106/S3136, legislation that removes principal place of business requirement of "Set-Aside Act for Disabled Veterans' Businesses."

The “Set-Aside Act for Disabled Veterans’ Businesses” defines a disabled veterans’ business as a business which has its principal place of business in the State, is independently owned and operated, and at least 51% of which is owned and controlled by persons who are disabled veterans, or a business which has its principal place of business in this State and has been officially verified by the United States Department of Veterans Affairs as a service disabled veteran-owned business for the purposes of department contracts pursuant to federal law. The act also includes a goal that contracting agencies will award at least 3% of their contracts to disabled veterans’ businesses.

This bill removes the requirement that the businesses have a principal place of business in the State of New Jersey. This change may increase the pool of businesses and subcontractors eligible to compete for the State contracts, which may help contracting agencies meet the goal that they award at least of 3% of their contracts to disabled veterans’ businesses. However it may not benefit NJ residents.

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Requires DMAVA Notify Certain Veteran Organizations Of Names Of Deceased Veterans.

A4139/S2396, legislation that requires DMAVA notify certain veteran organizations of names of deceased veterans and those killed in action, and notify certain veteran organizations and county officers of names of persons buried in State veteran cemeteries.

The first concern is what constitutes the level of veterans’ organizations what will be the recipient of these reports. There are bonafide chapters, post and branches of veterans’ organizations at the local level. There are county or district levels of veterans’ organizations. And there are state, regional and national levels of veterans’ organizations. The question becomes one of which level will receive the notifications from DMAVA. The legislation does not clearly identify which level will be the designated recipient of said notices. When dealing with local level veterans’ organizations, this would require a data base of ever changing points of contact as many of the local groups change leadership annually.

The Senate Military and Veterans’ Affairs committee amended the bill to require the Department of Military and Veterans Affairs to provide a monthly report to veteran organizations of the names of service members killed in action in the previous month. There is no mention of the many servicemembers whose deaths are not attributable to being killed in action.

According to the Defense Manpower Data System, between 2006 and 2018; 16,652 active-duty personnel and mobilized reservists have died while serving in the U.S. Armed Forces. However only 27 percent of those deaths came from going to war, a stark reminder of the danger service members face even away from the battlefield.

Seventy-three percent of the overall casualties — 12,116 deaths — occurred under circumstances unrelated to America’s ongoing wars, the report found. Ninety-three percent of all these casualties occurred in the U.S., although incidents happened in over 70 nations around the world. Accidents, self-inflicted wounds or illness made up the bulk of casualties. These fatalities may not be considered killed in action losses.

The report attributes 4,536 service members deaths to war-related activities spread over 25 nations. Almost half those deaths came as the result of improvised explosive devices (IEDs).

There is a concern as to the requirement to specify that a representative of the person buried or cremated in a State veteran cemetery must sign a waiver before the information may be released. Does this mean the spouse, domestic partner, partner in a civil union, parent, brother, sister, child, legal guardian, or other legal custodian, whether of the whole or half blood, or by adoption? This is the criteria set forth in P.L.2017, c.57, approved May 1, 2017 that requires DMAVA to notify county

veterans' affairs office of death of certain military service members. The proposed legislation does not specify who is considered a representative of the person buried or cremated.

Additionally this legislation is set to take effect immediately. That does not permit DMAVA to set up funding for personnel and establishing an office to take on this responsibility. It appears no one has considered the workload that this legislation will entail, the hours and personnel involved, the need for computer programs to track this information or the actual costs involved in what could be numerous notifications to various veterans' organizations at whatever level is deemed to satisfy the requirements of this proposed legislation. Who is responsible for providing the funding stream necessary to perform these new tasks?

Aside from all of these concerns, it would seem best to establish a webpage to present the pertinent information once all legal concerns were addressed. This may in fact prove to be more workable and less expensive than the current proposal.

The stark reality is that not every veteran will be recognized upon their death. Many veterans are not members of any veterans' organization, are not entered on any DMAVA data bases if they are not receiving benefits from the State of New Jersey, and have little or no affiliation with the veteran community. Currently DMAVA can only track those veterans' being interred at the Doyle facility. Veterans being buried in county veterans' cemeteries or other private facilities are not being reported to DMAVA. This legislation will not alter that in any meaningful way.

All veterans who have lost their lives while serving should be recognized, not just those killed in action. The loss for the family is not determined by the killed in action requirement.

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Happy Holidays Everyone!

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