

Government Affairs Report

October 6, 2019

New Jersey Legislative Update

10,818 bills have been introduced as of September 24, 2019, with over 510 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 until the end of December 2019, so it is likely there will be more introductions.

Some of the bills that have been passed this session:

- Requires certain health care facilities to provide information concerning palliative care and hospice care services. The bill will require every hospital, nursing home, extended care facility, ambulatory health care facility providing long-term care services, and rehabilitation facility licensed in this State to provide information about appropriate palliative care and hospice care services to patients and residents with a serious illness. This will include veterans here in NJ without regard to where they are receiving care.
- Requires public utility to charge veterans' organization residential rate for service delivered to property at which veterans' organization primarily operates.
- Grants veteran discharged under honorable conditions right to peddler's license.
- Clarifies that certain students are eligible for NJ STARS and NJ STARS II scholarship upon initial enrollment at institution of higher education on part-time basis. This legislation impacts individuals called to partial or full mobilization for State or federal active duty as a member of the National Guard or a Reserve component of the Armed Forces of the United States.
- Provides in-State tuition at public institutions of higher education to individuals living in NJ who are entitled to educational assistance under US Department of Veterans Affairs' Vocational Rehabilitations and Employment Program.
- Increases gross income tax deduction available to veterans from \$3,000 to \$6,000.
- Designates High Point State Park as High Point State Park and New Jersey Veterans Memorial.
- Extends eligibility for veterans' property tax deduction to exemption to residents of continuing care retirement communities.
- Requires landlords to count federal military service member and veteran housing allowances as income for purposes of qualifying for rental housing; designated as Securing Electronic Records for Veterans Ease Act.
- Directs Adjutant General to enter into agreements with legal services organizations to provide legal services to homeless veterans and veterans at risk of homelessness.
- Makes New Jersey National Guard members with NGB-22 form eligible for certain veterans' benefits.
- Permits certain health care professionals to waive health insurance copayments for members of military on active duty and their family members.
- Exempts certain surgical technologists from general educational and training requirements. This benefits those who have completed a military-based or United States Public Health Service Commissioned Corps surgical technologist training program.
- Establishes Office of Homelessness Prevention; appropriates \$3 million to DCA. This bill establishes the Office of Homelessness Prevention in the Department of Community Affairs the purpose of which is to coordinate among State and local agencies and private organizations that provide services to persons who are homeless or those at risk for homelessness, and to implement a Statewide strategy to address homelessness. This would be beneficial to veterans

experiencing homelessness. It also requires the furnishing without fee upon request a certified copy of a veteran's death certificate to the veteran's legal representative, the executor or administrator of the veteran's estate, or to a family member authorized to obtain a copy of the death certificate pursuant to subsection a. of R.S.26:8-62. No more than one copy of a veteran's death certificate may be provided without fee pursuant to this subsection; all other copies of the death certificate shall be subject to the statutory fee.

- Concurrent resolution that proposes constitutional amendment to extend veterans' property tax deduction to continuing care retirement communities. This matter will now be decided by the voters.
- Joint resolution urging U.S. Congress to pass "Military Hunger Prevention Act."
- Joint resolution honoring the American Legion on 100th anniversary of its founding.
- Joint resolution designating June 12 of each year as "Women Veterans Appreciation Day" in New Jersey.
- Senate resolution urging President and Congress of US to enact legislation which prevents IRS from collecting taxes on any amount of student loan forgiven for deceased veterans.

NJ State Elections 2019

This November all 80 seats in the General Assembly and one seat in the Senate are up for election. Some of the most hotly contested races will again be in the 1st and 2nd Districts covering Cape, Cumberland and Atlantic counties.

Ballot Question

New Jersey Veterans' Property Tax Deduction for Continuing Care Retirement Communities Amendment (2019)

The New Jersey Veterans' Property Tax Deduction for Continuing Care Retirement Communities Amendment is on the ballot in New Jersey as a legislatively referred constitutional amendment on November 5, 2019.

A "yes" vote supports this constitutional amendment to: extend the \$250 property tax deduction that veterans receive to continuing care retirement centers on behalf of the veterans living there and require the retirement centers to pass the value of the deduction on to veterans in the form of credits or payments.

A "no" vote opposes this constitutional amendment, thus: continuing to provide the \$250 property tax deduction to veterans who are property owners or stockholders in a housing cooperative but excluding continuing care retirement centers from receiving the deduction on behalf of veterans living there and passing the value of the deduction on to veterans.

What would this ballot measure change?

As of 2019, veterans who were honorably discharged or released under honorable circumstances were eligible to receive a \$250 deduction from their property tax bill in New Jersey. Surviving spouses of honorably discharged veterans who are deceased or soldiers who died on active duty during a war can also claim the deduction as well.

The ballot measure would extend the \$250 property tax deduction that veterans receive to continuing care retirement centers on behalf of the veterans living there. The ballot measure would require the continuing care retirement center to provide the \$250 to an eligible veteran, or an eligible surviving spouse of a veteran or soldier, as a payment or credit. Continuing care retirement centers that are tax-exempt would be ineligible to receive the deductions.

The ballot question is as follows:

CONSTITUTIONAL AMENDMENT TO GIVE CERTAIN VETERANS' BENEFITS
TO RESIDENTS OF CONTINUING CARE RETIREMENT COMMUNITIES

Do you approve amending the Constitution to allow eligible veterans to receive the value of the veterans' property tax deduction if they reside in a continuing care retirement community? The deduction shall be provided to a continuing care retirement community, which shall pass the value of the deduction on to the eligible veterans who live there.

The interpretive statement is as follows:

INTERPRETIVE STATEMENT

This amendment would allow eligible veterans who live in continuing care retirement communities to receive the value of the \$250 property tax deduction currently granted to veterans who reside in a private residence. This amendment would give the veterans' property tax deduction to continuing care retirement communities on behalf of eligible veterans.

The total amount of the deduction given to a continuing care retirement community would be based on the number of eligible veterans who live there. The community would be required to pass the value of the deduction on to each eligible veteran.

Deductions would not be paid to continuing care retirement communities that are property tax-exempt. An eligible veteran who receives the value of a deduction through a continuing care retirement community cannot receive a veterans' property tax deduction on any other home he or she owns or in which a spouse lives.

Eligible veterans must be New Jersey residents. They must have served in the military in time of war, or other emergency. They must be honorably discharged.

The measure would amend Section 1(3) of Article VIII of the New Jersey Constitution. The following underlined text would be added and text ~~struck through~~ would be deleted.

3. a. Any citizen and resident of this State now or hereafter honorably discharged or released under honorable circumstances from active service, in time of war or other emergency as, from time to time, defined by the Legislature, in any branch of the Armed Forces of the United States shall be entitled, annually to a deduction from the amount of any tax bill for taxes on real and personal property, or both, including taxes attributable to a residential unit held by a stockholder in a cooperative or mutual housing corporation, in the sum of \$50 or if the amount of any such tax bill shall be less than \$50, to a cancellation thereof, except that the deduction or cancellation shall be \$100 in tax year 2000, \$150 in tax year 2001, \$200 in tax year 2002 and \$250 in each tax year thereafter. The deduction or cancellation shall not be altered or repealed. Any person hereinabove described who has been or shall be declared by the United States Veterans Administration, or its successor, to have a service-connected disability, shall be entitled to such further deduction from taxation as from time to time may be provided by law. The surviving spouse of any citizen and resident of this State who has met or shall meet his or her death on active duty in time of war or of other emergency as so defined in any such service shall be

entitled, during her widowhood or his widowerhood, as the case may be, and while a resident of this State, to the deduction or cancellation in this ~~paragraph~~ subsection provided for honorably discharged veterans and to such further deduction as from time to time may be provided by law. The surviving spouse of any citizen and resident of this State who has had or shall hereafter have active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States and who died or shall die while on active duty in any branch of the Armed Forces of the United States, or who has been or may hereafter be honorably discharged or released under honorable circumstances from active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States shall be entitled, during her widowhood or his widowerhood, as the case may be, and while a resident of this State, to the deduction or cancellation in this ~~paragraph~~ subsection provided for honorably discharged veterans and to such further deductions as from time to time may be provided by law.

b. A continuing care retirement community shall receive a veterans' property tax deduction on behalf of eligible veterans. The amount of the property tax deduction shall be the dollar amount of the deduction multiplied by the number of eligible veterans receiving the property tax deduction immediately prior to moving into the continuing care retirement community. A person otherwise eligible for the veterans' deduction who is a resident of a continuing care retirement community shall receive the amount of the deduction to the extent of the share of the taxes assessed against the real property of the continuing care retirement community that is attributable to the unit that the resident occupies. The continuing care retirement community shall provide that amount as a payment or credit to the resident. That payment or credit shall be made to the resident no later than 30 days after the continuing care retirement community receives the property tax bill on which the credit appears. A veterans' property tax deduction shall not be paid on behalf of any eligible veteran who resides in a continuing care retirement community that is property tax-exempt. A resident receiving a payment or credit pursuant to this subsection shall not receive a veterans' property tax deduction on any other residence owned in whole or in part by the resident, or any residence in which the resident's spouse is living.

The surviving spouse of any citizen and resident of this State who has met or shall meet his or her death on active duty in time of war or of other emergency as so defined in any such service shall be entitled, during her widowhood or his widowerhood, as the case may be, and while a resident of this State, to the deduction in this subsection provided for honorably discharged veterans. The surviving spouse of any citizen and resident of this State who has had or shall hereafter have active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States and who died or shall die while on active duty in any branch of the Armed Forces of the United States, or who has been or may hereafter be honorably discharged or released under honorable circumstances from active service in time of war or of other emergency as so defined in any branch of the Armed Forces of the United States shall be entitled, during her widowhood or his widowerhood, as the case may be, and while a resident of this State, to the deduction in this subsection provided for honorably discharged veterans.

Continuing Resolution

The Senate passed a continuing resolution to keep the government operating through November 21st. The Senate vote (82-15) on the House bill, H.R.4378 Continuing Appropriations for Fiscal Year 2020, had already passed the House. The bill will now be sent to the President.

Now, lawmakers will continue trying to reach an agreement on the competing National Defense Authorization Acts (H.R.2500 and S.1790) passed earlier by each chamber of origin. There are a number of other disagreements between the two bills; among them are three important provisions. A

conference committee has been appointed to resolve the differences between the two bills. The House bill has several provisions that are not in the Senate bill. Veterans are urged to ask their Senators to support House provisions in the final bill that include:

- Repealing the SBP/DIC Offset known as the Widow's Tax;
- Delaying proposed drastic cuts to military medical staff and require a study on the impact; and
- Allowing military service members to sue the DoD for instances of medical malpractice unrelated to combat.

The conference committee bill will be submitted to the House and Senate for approval. If approved by both chambers the bill will go to the President to be signed into law or be vetoed. Veterans are urged to ask their Senators to accept the above referenced provisions in the final NDAA bill.

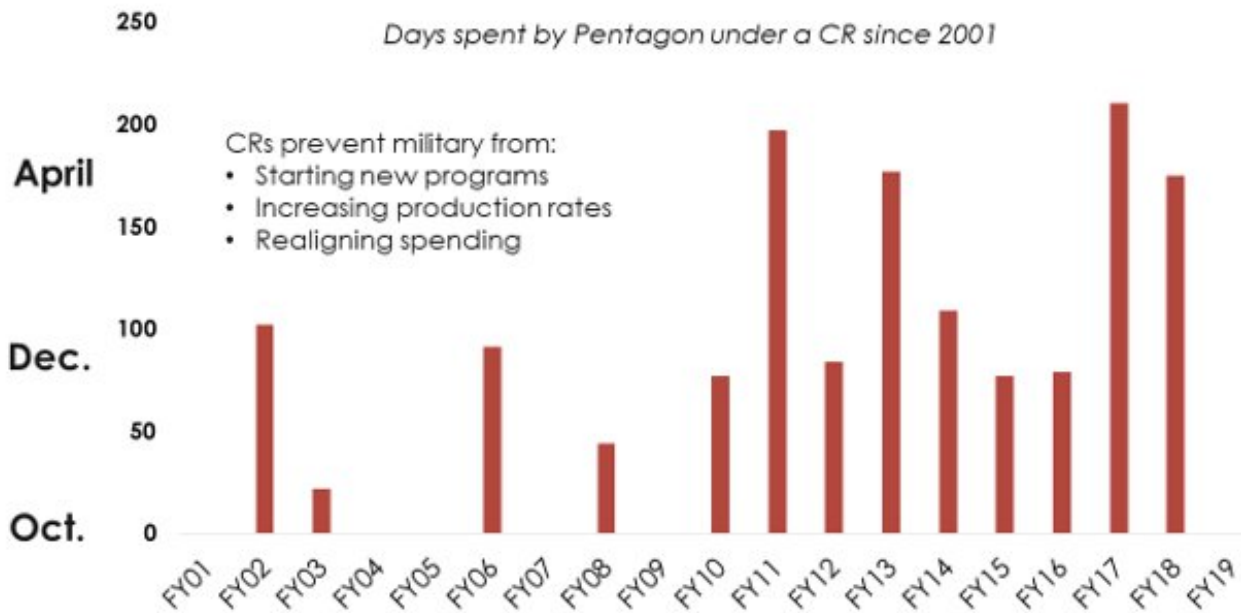
Continuing Resolutions and the Military

With congressional appropriators mired in disagreements about funding details for fiscal year 2020 and an ongoing clash over providing money for President Trump’s border wall, lawmakers may well have to resort to a year-long series of stopgap spending bills to avoid another government shutdown.

Echoing previous warnings from both military leaders and appropriators, Mackenzie Eaglen, a resident fellow at the conservative-leaning American Enterprise Institute, argues that those continuing resolutions would harm the military by freezing spending at current levels and setting restrictions on other purchases.

“Not only are troops and their families affected by the shifting of funds for the wall, the entire Defense Department would be harmed under the larger stopgap spending bill at lower levels,” Eaglen writes. “This lack of on-time funding throws the government’s largest purchaser into a tailspin and raises costs to the taxpayer for inefficiency.

Here’s Eaglen’s chart detailing how much time the military has been funded under a continuing resolution in recent years:



Research Shows Military Service Can Hurt Some Job Seekers' Prospects

Even though they're almost universally heralded as heroes, U.S. military veterans entering the civilian workforce may encounter a downside to the positive reputation they earn for their service according to new research from Duke University's Fuqua School of Business, released September 24, 2019, suggests veteran job candidates can be typecast as agentic (ability to plan and act) but have less capacity for experience (ability feel emotion) and unemotional, and are likely to be overlooked for jobs that leverage emotional intelligence and interpersonal and leadership skills.

Instead, members of the public, other workers and even experienced managers showed a tendency to relegate veteran job candidates to roles where they would be working with things rather than people.

For example, in a restaurant setting, veterans were perceived as better suited as dishwashers or prep-cooks, while similarly qualified applicants with no military experience were seen as better-suited for customer-facing roles as hosts or servers.

The research tends to indicate that veterans are stereotyped as high in planning/acting, but low in feeling emotions. The research noted that the ability to (i) plan/act and (ii) feel are important skills for various careers. It also noted that stereotypes about veterans correspond to perceptions of career suitability and effects are reduced via resume content that signals a veteran's ability to feel.

The research comprises 10 studies and randomized experiments with almost 3,000 participants, including people with no hiring experience, as well as seasoned managers and recruiters. A manuscript describing the research is forthcoming in the journal *Organizational Behavior and Human Decision Process*.

"This bias was occurring among actual managers who are in the business of hiring people," according to Aaron Kay, Ph.D., a Fuqua management professor and senior author of the research. "In one of the studies, we tested this in a large American restaurant chain. As these managers were evaluating applicants' resumes, their choices showed they thought veterans were more suited to the kitchen as opposed to jobs where they would be dealing with people. Importantly, veterans were not liked less – managers just thought the kitchen is where they would thrive."

The challenges veterans face when transitioning from military service to a civilian life are well-documented, Kay said, and the military and employers have worked to address these systemic problems with various strategies. But there's little research on employers' perceptions of military veterans, and how they may factor into the types of jobs veterans land when leaving the service.

Kay continued "We have seen companies make efforts to hire more veterans, but their efforts often fall short when it comes to recruiting them and placing them in the right roles. And it may be because no one has really ever tried, from a basic theoretical perspective, to understand others' perceptions of veterans."

"People may perceive a veteran job candidate as brave, calm under pressure and having a get-it-done kind of attitude," he said. "But the way the economy is moving, many new types of jobs also require creativity, interpersonal skills and emotional capacity. When choosing between two equally-qualified job candidates, the average person and even prospective employers show a tendency to prefer the applicant without military experience for jobs requiring social-emotional abilities."

Veterans may be able to counteract some typecasting simply by editing their resumes. In one study, when a candidate's resume included military service and volunteer experience demonstrating his emotional side – in this case, nurturing rescue animals – prospective employers considered his social-emotional skills equal to other similarly qualified non-veteran candidates.

“For a long time, it has been assumed the main impediment to getting veterans the jobs they deserve has been articulating their work experience in ways civilians can understand,” according to Kay. “As a result, a lot of work has gone into developing technology or methods that help veterans explain their military experience in non-technical language.

“But that may not always level the playing field, because a big part of the problem is that people see them as a certain type of person,” he said. “Our research suggests there could be ways veterans could present their skills that can help them overcome these perceptions. We are going to keep working on understanding these hiring biases and how to eliminate them, as well as working with veterans to understand their experiences as they transition to the workforce.”

Kay collaborated with researchers Steven Shepherd of Oklahoma State University, the first author of the paper, and Kurt Gray of the University of North Carolina at Chapel Hill. The research was funded by a Microsoft Military Affairs research gift.

Congress Again Rebukes Trump on Border Emergency, Setting Up Another Veto

The House on Friday, September 27, 2019 voted to terminate President Trump’s declaration of a national emergency at the southern border, rebuking the president on the issue for a second time this year, but again falling short of the margin needed to override another expected veto.

The resolution, approved by the Senate on Wednesday, passed the House 236 to 174, with 11 Republicans and one independent joining all Democrats in supporting the measure. It would block the president from bypassing Congress and shifting Pentagon funds for construction of barriers along the border. Shifting the \$3.6 billion in military construction projects will halt 127 military projects that were previously funded. The funds are being shifted from the Pentagon's 2019 fiscal year budget, which was approved earlier this year and runs through Sept. 30.

Congress passed the same measure earlier this year, but Trump vetoed it in March and the House failed to override his veto. Since that vote, the Pentagon put out a list of the \$3.6 billion worth of military projects that were being canceled or put on hold as a result of Trump’s shifting of funds. That added some pressure on lawmakers who back Trump’s declaration even as their districts lose money because of it, but it failed to make much difference in the vote tallies.

Under the national emergencies law, Congress can bring up a vote on Trump’s declaration every six months. Congress is usually involved in approving the reallocation of military funds, otherwise known as "reprogramming." But not this time.

So far, there is no plan to replace the military funds that are being shifted to pay for the wall. Currently, the shifting of funds has no direct impact on facilities in New Jersey. Members of Congress have pushed to get a list of the projects that would be held in lieu of the wall. Following demands from lawmakers, the Pentagon had been slated to release the list of cut military construction projects in May, but the plans were delayed. The Pentagon had remained tight-lipped until the first week of September.

The president is expected to sign a stopgap continuing resolution that will keep the government open past the end of the fiscal year, September 30, 2019 and through November 21, 2019. That would buy more time for negotiations over 2020 spending levels, including the budgets for the VA and DoD.

Let's Go Vote November 5th, 2019 !!!

It is imperative to the continuation of democracy in this country, that each time the ballot box is placed before the American public; every qualified citizen exercises his or her right to vote. Casting a ballot for the political candidate of your choice is not only a priceless heritage of every American citizen, but also a responsibility of that citizenship. Each vote that is cast is an expression of belief in the American form of government, and each vote that is not cast is a rejection of all the concepts for which America stands. Those Americans who don't vote because they're too disinterested, too busy, or too lazy, fail in their obligations as citizens.

When Americans become apathetic towards government and no longer exercise their right to govern themselves, we are all in grave danger of losing our right of self government. There is an old maxim that states, "Those who will not govern, will be governed."

Voting in every election is essential to the health and well being of our great nation, because ours is a nation where the people decide the issues through their elected representatives. It is through the ballot box that we the people exercise our power to govern and any power that the elected may have is derived from that same ballot box. It is awareness and involvement that keeps the ballot box open and free; it is an open and free ballot box that keeps America healthy.

Today, more than ever before, this country needs the political involvement of all its citizens, especially our proud veterans. American voters must make themselves aware of what is happening on all levels of government, learn the facts, weigh the alternatives, make a decision and then cast a vote for those who best represent that decision.

We may not have the most perfect system of government that can possibly be devised, but it is far better than any system yet known to man. It has been achieved by free people expressing their position at the ballot box.

It is up to us to set the example. We can't count on the other person to get out and vote. He may be counting on you. It is our future as well as the person down the street. Why let him choose the road we will travel. He doesn't make our other daily decisions for us. Are you willing to let him make a choice for you that comes only once every two or four years?

It is your right as much as John Doe's. Get out and exercise your greatest right. Cast your ballot. It is your way to continue having a free and great country. If it is worth dying for, it is certainly worth your vote.

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