

CHAPTER 309

AN ACT concerning the issuance of service medals and ribbons to certain veterans and amending N.J.S.38A:15-2 and P.L.2000, c.154.

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

1. N.J.S.38A:15-2 is amended to read as follows:

Distinguished service medals.

38A:15-2. The Governor may present in the name of the State of New Jersey a distinguished service medal of appropriate design, and ribbon to be worn in lieu thereof, to:

a. any member of the organized militia who, while serving in any capacity in the organized militia under orders of the Governor, or while in federal service, shall have been distinguished by especially meritorious service and who has been or may be cited in orders for distinguished service by the Governor or by appropriate federal authority;

b. any resident or former resident of the State of New Jersey who was a resident of this State at the time of entry into active military service or who has been a resident of this State for at least twenty years in the aggregate and (1) who while serving in the organized militia or in federal military service on active duty in time of war or emergency, shall have been distinguished by especially meritorious service and who has been or may be cited in orders for distinguished service by the Governor or by appropriate federal authority or (2) who shall have seen active military service in the Armed Forces of the United States of America in a combat theater of operations during time of war or emergency as attested to by the awarding of an honorable discharge and DD 214 or WD 53 by the respective Armed Force;

c. any deceased person who, on the date of induction into the organized militia or federal military service, was a resident of this State or who was a resident of this State at the time of death and for at least 20 years in the aggregate immediately preceding death and (1) who, while serving in the organized militia or in federal military service on active duty in time of war or emergency, shall have been distinguished by especially meritorious service and who has been or may be cited in orders for distinguished service by the Governor or appropriate federal authority or (2) who shall have seen active military service in the Armed Forces of the United States of America in a combat theater of operations during time of war or emergency as attested to by the awarding of an honorable discharge and DD 214 or WD 53 by the respective Armed Force or who, having seen such service, died while on active duty as evidenced by DD 1300; or

d. any person who, on the date of induction into the organized militia or federal military service, was a resident of this State or who is currently a resident of this State and has been a resident for at least 20 years in the aggregate and who, while serving in the organized militia or in federal military service on active duty in time of war or emergency, shall have been officially listed as a prisoner of war or missing in action by the United States Department of Defense.

The service medal for a deceased person or a person absent as a prisoner of war or missing in action shall be issued to the parent, spouse, sibling or other relative who submits all of the required forms and documentation on behalf of that person.

2. Section 1 of P.L.2000, c.154 is amended to read as follows:

1. The Legislature finds and declares:

a. The year 1998 marks the 25th anniversary of the United States, North Vietnam, South Vietnam and the National Liberation Front's provisional revolutionary government signing

an agreement to end the war in Vietnam;

b. The conflict that was declared over in 1973 was a uniquely important event in the political and domestic history of Southeast Asia and of this country;

c. The United States' involvement in that conflict resulted in great domestic turmoil and dispute in this nation, as well as over 50,000 American soldiers killed, including 1,515 from New Jersey; and

d. It is fitting and proper for this State to recognize and honor those men and women who served proudly and those who died bravely in that conflict on the 25th anniversary of its ending, because in 1973 those same individuals were often ignored or scorned for their service to their country.

3. Section 2 of P.L.2000, c.154 is amended to read as follows:

2. a. The Adjutant General is hereby authorized to issue a medal and ribbon to commemorate the 25th anniversary of the ending of the Vietnam Conflict in January 1973.

b. The medal and ribbon shall be issued to: (1) all residents of the State who were on active duty in any branch of the armed forces of the United States in Vietnam, Thailand, Laos or Cambodia or the contiguous waters or airspace thereof on or after December 31, 1960 and on or before May 7, 1975, who have been given an honorable discharge from such service, if discharged or released therefrom, and:

(a) were attached to or served for one or more days with an organization participating in or directly supporting military operations;

(b) were attached to or served for one or more days aboard a United States Naval vessel directly supporting military operations;

(c) participated as a crew member in one or more aerial flights into airspace above Vietnam and contiguous waters directly supporting military operations; or

(d) served on temporary duty for 30 consecutive days or 60 nonconsecutive days in Vietnam or contiguous areas, except that this time limit may be waived for persons participating in actual combat operations;

(2) the surviving spouse or immediate family member of any resident of the State meeting the requirements for a medal established by paragraph (1) of this subsection who was killed while on active duty or died after receiving an honorable discharge from the armed forces; or

(3) any person who, on the date of induction into the organized militia or federal military service, was a resident of this State and who meets the service requirements for a medal established by paragraph (1) of this subsection.

c. The Adjutant General shall select an appropriate design for the award no later than the fourth month following the enactment of this act and shall issue the award to qualified persons beginning no later than the eighth month following enactment.

d. No person shall be entitled to more than one award of the medal and ribbon authorized by subsection a. of this section.

4. This act shall take effect immediately.

Approved January 13, 2008.