

RULE PROPOSALS

INTERESTED PERSONS

Interested persons may submit comments, information or arguments concerning any of the rule proposals in this issue until the date indicated in the proposal. Submissions and any inquiries about submissions should be addressed to the agency officer specified for a particular proposal.

The required minimum period for comment concerning a proposal is 30 days. A proposing agency may extend the 30-day comment period to accommodate public hearings or to elicit greater public response to a proposed new rule or amendment. Most notices of proposal include a 60-day comment period, in order to qualify the notice for an exception to the rulemaking calendar requirements of N.J.S.A. 52:14B-3. An extended comment deadline will be noted in the heading of a proposal or appear in subsequent notice in the Register.

At the close of the period for comments, the proposing agency may thereafter adopt a proposal, without change, or with changes not in violation of the rulemaking procedures at N.J.A.C. 1:30-6.3. The adoption becomes effective upon publication in the Register of a notice of adoption, unless otherwise indicated in the adoption notice. Promulgation in the New Jersey Register establishes a new or amended rule as an official part of the New Jersey Administrative Code.

MILITARY AND VETERANS' AFFAIRS

(a)

OFFICE OF THE ADJUTANT GENERAL

DIVISION OF VETERANS' SERVICES

New Jersey Veterans' Transitional Housing Program (Veterans' Havens)

Proposed Readoption: N.J.A.C. 5A:8

Authorized By: Major General Jemal J. Beale, The Adjutant General, Commissioner, Department of Military and Veterans' Affairs.

Authority: P.L. 1988, c. 444 and N.J.S.A. 38A:3-2.2, 38A:3-6.o and u, and 38A:3-6.4.

Calendar Reference: See Summary below for explanation of exception to calendar requirements.

Proposal Number: PRN 2020-117.

Submit written comments by February 19, 2021, to:

Mr. Mark Preston
Administrative Procedures Officer
New Jersey Department of Military and Veterans Affairs
PO Box 340
Trenton, NJ 08625-0340
or electronically at: mark.preston@dmava.nj.gov

The agency proposal follows:

Summary

The rules proposed for readoption, N.J.A.C. 5A:8, New Jersey Veterans' Transitional Housing Program (Veterans' Havens), were scheduled to expire on November 4, 2020. This date was extended pursuant to Executive Order No. 127 (2020) until 90 days after the declaration of the public health emergency in Executive Order No. 103 (2020) (as extended). The Department of Military and Veterans' Affairs (Department) has reviewed these rules and has determined that the rules should be readopted because they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. In accordance with N.J.S.A. 52:14B-5.1.c, timely filing of this notice extended the expiration date of the chapter 180 days to May 3, 2021.

Veterans' Haven is a transitional housing program for homeless veterans. Veterans' Haven South is located on the grounds of the Ancora State Psychiatric Hospital in Winslow Township (Camden County), New Jersey. Veterans' Haven North is located on the grounds of the Hagedorn Psychiatric Hospital in Lebanon Township (Hunterdon County), New Jersey. Their goal is to rehabilitate homeless veterans by preparing them to return to useful and productive lives through a program of treatment and support. Veterans account for an estimated 600 homeless individuals in the State of New Jersey. Their prior service in the Armed Forces of the

United States indicates that they did have periods of adequate job performance, and even held positions of responsibility, before slipping into their current level of social functioning.

This program began providing services to homeless veterans at its Veterans' Haven South facilities on January 18, 1995. Candidates for Veterans' Haven are identified through a system of outreach initiated by the United States Department of Veterans Affairs Medical Centers (USDVAMC) such as in Philadelphia, Pennsylvania; Lyons, New Jersey; and East Orange, New Jersey. Eligible veterans who have been stabilized with respect to their medical conditions, mental disorders, and substance abuse treatment needs may be admitted into the program. Following entrance screening to ensure their medical/mental/substance abuse issues have been addressed, new residents begin an initial period of evaluation lasting four to 12 weeks, in which they participate in an orientation designed to help resolve or mitigate their personal difficulties. Upon completion of this orientation phase, the resident begins the treatment phase, which is followed by the self-reclamation phase. During this phase, the veteran receives marketable job skills training. With employment and supportive services in place, veterans return to society, and to their families (where possible), during the community reintegration phase.

Following is a summary of the rules proposed for readoption:

Subchapter 1 contains general provisions and the purpose of the chapter.

Subchapter 2 contains definitions of terms used in the chapter.

Subchapter 3 contains the program admission policy.

Subchapter 4 contains the program discharge policy.

Subchapter 5 contains the readmission policy.

Subchapter 6 contains the monthly rental fee.

Subchapter 7 contains the financial responsibilities of the residents.

Chapter 8 Appendices A and B contain the resident contract and the form for pre-admission screening and intake upon admission.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

There is no negative social impact anticipated with the readoption of these rules. The Veterans' Haven program has been successful in providing rehabilitative services to homeless veterans since its inception in 1995. Each year since, an annual average of 40 such veterans have benefited from this program. The reclamation and reintegration of homeless veterans back into productive society is unquestionably an endeavor with inherent value.

Economic Impact

The rules proposed for readoption will have no discernable impact on the economic status quo. Veterans' Havens are currently funded by New Jersey State appropriations, the United States Department of Veterans Affairs (USDVA), and a small grant from the New Jersey Department of Community Affairs. Additional Federal grants and independent charitable

donations are continually sought to support the program. The clear economic benefit to the general public is the reintegration to society of capable, taxpaying citizens who have graduated from the program. The rules proposed for readoption are procedural in nature and will have no economic impact, whether within the program or beyond.

Federal Standards Statement

A Federal standards analysis is not required. The only Federal requirements or standards that affect the subject of this rulemaking are found in OMB Circular A-133 and at 38 CFR 17.700 to 17.801.

OMB Circular A-133 governs the use of Federal grant money, and imposes reporting, application, and recordkeeping standards, with which Veterans' Haven is in compliance. The rules proposed for readoption comply with, and do not exceed, this Federal standard.

38 CFR 17.700 to 17.801 govern the funding and administration of homeless veterans' programs. The rules proposed for readoption are in compliance with, and do not exceed, this Federal standard.

Jobs Impact

The Department anticipates that the rules proposed for readoption will have an insignificant impact on jobs within the State. The Department anticipates that current staffing and positions will remain unchanged.

Agricultural Industry Impact

The rules proposed for readoption will have no impact upon the agricultural industry in the State.

Regulatory Flexibility Statement

A regulatory flexibility analysis is not required because the rules proposed for readoption do not impose reporting, recordkeeping, or other compliance requirements on small businesses. The rules proposed for readoption are limited to governing admission to and operation of the Department's Veterans' Haven programs for homeless veterans. All referrals for employment or skills training are made through existing State and Federal agencies, which already have agreements with small businesses prepared to employ the graduates of the program. The rules proposed for readoption do not affect these agreements.

Housing Affordability Impact Analysis

The rules proposed for readoption will have an insignificant impact on the affordability of housing in New Jersey and there is an extreme unlikelihood that the rules proposed for readoption would evoke a change in the average costs associated with housing because the rules proposed for readoption pertain to programs for veterans at Veterans' Haven.

Smart Growth Development Impact Analysis

The rules proposed for readoption will have an insignificant impact on smart growth and there is an extreme unlikelihood that the rules proposed for readoption would evoke a change in housing production in Planning Areas 1 or 2, or within designated centers, under the State Development and Redevelopment Plan in New Jersey because the rules proposed for readoption pertain to programs for veterans at Veterans' Haven.

Racial and Ethnic Community Criminal Justice and Public Safety Impact

The rules proposed for readoption will have no impact on pretrial detention, sentencing, probation, or parole policies concerning juveniles and adults in the State.

Full text of the rules proposed for readoption may be found at in the New Jersey Administrative Code at N.J.A.C. 5A:8.

(a)

OFFICE OF THE ADJUTANT GENERAL New Jersey Vietnam 25th Anniversary Commemorative Medal Criteria, Procedures for Requesting, and Issuance of the Medal

Proposed Readoption: N.J.A.C. 5A:10

Authorized By: Major General Jemal J. Beale, The Adjutant General, Commissioner, Department of Military and Veterans Affairs.

Authority: P.L. 2000, c. 154 and P.L. 2007, c. 309; N.J.S.A. 38A:3-6.o and u and 35A:15-3.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

Proposed Number: PRN 2020-118.

Submit written comments by February 19, 2021, to:

Mr. Mark Preston
Administrative Procedures Officer
Department of Military and Veterans Affairs
PO Box 340
Trenton, NJ 08625-0340
or electronically at: mark.preston@dmava.nj.gov

The agency proposal follows:

Summary

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the New Jersey Vietnam 25th Anniversary Commemorative Medal rules, N.J.A.C. 5A:10, are proposed to be readopted and shall continue in effect for a seven-year period. The rules proposed for readoption, N.J.A.C. 5A:10, New Jersey Vietnam 25th Anniversary Commemorative Medal, were scheduled to expire on January 30, 2021. The Department of Military and Veterans' Affairs (Department) has reviewed these rules and has determined that the rules should be readopted because they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. In accordance with N.J.S.A. 52:14B-5.1.c, timely filing of this notice extended the expiration date of the chapter 180 days to July 29, 2021, pursuant to N.J.S.A. 52:14B-5.1.c(2).

The rules proposed for readoption articulate the Department's minimum criteria for the awarding of the New Jersey Vietnam 25th Anniversary Commemorative Medal and Ribbon to commemorate the 25th anniversary of the ending of the Vietnam Conflict in January 1973. The rules proposed for readoption also establish the procedures for eligible individuals to request an award or, if deceased, their surviving spouse or immediate family member to request an award on their behalf.

N.J.A.C. 5A:10-1.1 sets forth the purpose of the chapter. N.J.A.C. 5A:10-1.2 provides the definitions of terms used in the chapter. N.J.A.C. 5A:10-2.1 sets forth the criteria for the award. N.J.A.C. 5A:10-2.2 lays out the procedures for requesting the award. N.J.A.C. 5A:10-2.3 sets forth the procedures for the issuance of the award.

As the Department has provided a 60-day comment period on this notice of proposal, this notice is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

Social Impact

The year 1998 marked 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. The conflict that was declared over in 1973 was a uniquely important event in the political and domestic history of Southeast Asia and this country. The United States' involvement in that conflict resulted in great domestic turmoil and dispute in this nation, as well as over 50,000 American servicemen killed, including 1,515 from New Jersey. The rules proposed for readoption allow the State of New Jersey to recognize the military service of its sons and daughters through the awarding of this medal. It is fitting and proper for the State to recognize those among its residents who served proudly and those who died bravely in the Vietnam