

CHAPTER 3

NEW JERSEY DISTINGUISHED SERVICE MEDAL

Authority

N.J.S.A. 38A:3-6(o) and (u) and 38A:15-2 and 3.

Source and Effective Date

R.2005 d.299, effective August 10, 2005.
See: 37 N.J.R. 1931(b), 37 N.J.R. 3295(a).

Chapter Expiration Date

Chapter 3, New Jersey Distinguished Service Medal, expires on August 10, 2010.

Chapter Historical Note

Chapter 3, Military Service Medals, was adopted as R.1992 d.56, effective February 3, 1992. See: 23 N.J.R. 1490(a), 23 N.J.R. 3409(a), 24 N.J.R. 409(a). Pursuant to Executive Order No. 66(1978), Chapter 3 expired on February 3, 1997.

Chapter 3, New Jersey Distinguished Service Medal, was adopted as new rules by R.2000 d.245, effective June 19, 2000. See: 32 N.J.R. 863(a), 32 N.J.R. 2229(a).

Chapter 3, New Jersey Distinguished Service Medal, was readopted by R.2005 d.299, effective August 10, 2005. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

5A:3-1.1 Purpose

This chapter establishes procedures for the State, in accordance with N.J.S.A. 38A:15-2, to recognize and commemorate the distinguished military service of its sons and daughters through the awarding of the New Jersey Distinguished Service Medal.

Amended by R.2005 d.299, effective September 6, 2005.
See: 37 N.J.R. 1931(b), 37 N.J.R. 3295(a).

Added “, in accordance with N.J.S.A. 38A:15-2,” following “for the State”.

5A:3-1.2 Definitions of types of discharges from service

The following words and terms, as used in this subchapter to describe characterization of a service member's service at

separation, shall have the following meanings, unless the context clearly indicates otherwise.

“Discharge under other than honorable conditions” means that discharge specified when the reason for separation is based upon a pattern of behavior or one or more acts or omissions that are not acceptable military conduct.

“General discharge (under honorable conditions)” means that discharge specified when significant negative aspects of the soldier's conduct or performance outweigh positive aspects of the soldier's military record. If a soldier's service has been honest and faithful, it is appropriate to characterize that service as under honorable conditions.

“Honorable discharge” means that discharge specified when the quality of service generally has met the standards of acceptable conduct and performance of duty for military personnel, or is otherwise so meritorious that any other characterization would be clearly inappropriate.

SUBCHAPTER 2. AWARD CRITERIA, APPLICATION PROCEDURES AND ISSUANCE

5A:3-2.1 Criteria for award

(a) Any member of the organized militia who, while serving in any capacity in the organized militia or while on active Federal duty, is cited in orders for distinguished service by the Governor or by appropriate Federal authority, shall be eligible for the New Jersey Distinguished Service Medal. Active membership in the organized militia or former membership attested to by the awarding of an honorable discharge is required.

(b) Individuals other than members of the organized militia shall be eligible for the New Jersey Distinguished Service Medal upon:

1. Presentation of a War Department (WD) Form 53 or Department of Defense (DD) Form 214 indicating an honorable discharge and service during time of war or national emergency; and
2. Demonstration of one of the following:
 - i. That the individual is a current resident of the State of New Jersey, who was a resident of this State at the time of entry into active military service, 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 Form 214 or WD Form 53 by the respective Armed Force;

ii. That the individual is a deceased person who, on the date of induction into the organized militia or Federal military service, was a resident of this State, 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 Form 214 or WD Form 53 by the respective Armed Force; or

iii. That the individual is a person who, on the date of induction into the organized militia or Federal military service, was a resident of this State 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.

(c) Individuals eligible for the award under the provisions of (b)2i above also shall be awarded the silver oak leaf cluster to be affixed to surface and suspension ribbons.

(d) Applicants who received either a general discharge (under honorable conditions) or a discharge under other than honorable conditions shall not be considered for this award.

Amended by R.2005 d.299, effective September 6, 2005.

See: 37 N.J.R. 1931(b), 37 N.J.R. 3295(a).

Rewrote (a) and (b).

5A:3-2.2 Procedures for requesting award

(a) The awarding of the New Jersey Distinguished Service Medal to members of the organized militia shall be made in accordance with procedures established by the Adjutant General.

(b) All other eligible individuals shall submit a written request for the awarding of the New Jersey Distinguished Service Medal along with the documentation specified in N.J.A.C. 5A:3-2.1(b) to:

The Adjutant General
New Jersey Department of Military and Veterans'
Affairs
ATTN: Director of Veterans Programs
PO Box 340
Trenton, New Jersey 08648-0340

(c) The New Jersey Distinguished Service Medal for a deceased person or a person absent as a prisoner of war or missing in action may be requested by and shall be issued to a parent, spouse, sibling, child or other relative who submits all of the required forms and documentation on behalf of that person.

Amended by R.2005 d.299, effective September 6, 2005.

See: 37 N.J.R. 1931(b), 37 N.J.R. 3295(a).

In (a), substituted "organized militia" for "New Jersey National Guard"; in (b), substituted "Veterans Programs" for "Information Management".

5A:3-2.3 Issuance of the award

Upon verification of eligibility for the award, the Department of Military and Veterans' Affairs shall issue, at no cost to the applicant, the New Jersey Distinguished Service Medal with the service ribbon (and, if eligible pursuant to N.J.A.C. 5A:3-2.1(c), the silver oak leaf cluster) with appropriate certificate in the name of the Governor of the State of New Jersey.