

28:2-20

12/9/86

LEGISLATIVE HISTORY CHECKLIST

NJSA: 28:2-20

"Football Birthplace Monument Commission"

LAWS OF: 1986

CHAPTER 111

BILL NO: A2103

Sponsor(s): Schwartz and others

Date Introduced: February 24, 1986

Committee: Assembly: State Government

Senate: -----

Amended during passage: No Substituted for S1965 (not attached since identical to A2103)

Date of Passage: Assembly: Sept. 8, 1986

Senate: Sept. 15, 1986

Date of Approval: Sept. 23, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: Yes

Following were printed:

Reports: No

Hearings: No

**ASSEMBLY, No. 2103**  
**STATE OF NEW JERSEY**

INTRODUCED FEBRUARY 24, 1986

By Assemblymen SCHWARTZ, SMITH, ZIMMER and  
KAVANAUGH

**AN ACT to establish the New Jersey Birthplace of Football Monument Commission and prescribing the powers, duties and functions thereof.**

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

1 **1. The Legislature finds and declares:**

2 **a. The first intercollegiate game of football, in the distinctively**  
3 **American sense of the term, was played in this State, at New**  
4 **Brunswick, in the year 1869, between Rutgers College and the**  
5 **College of New Jersey (Princeton).**

6 **b. The subsequent development of this sport, with its widespread**  
7 **popularity and its pervasive influence upon the values and ethos**  
8 **of the American people, has had a profound impact upon the life**  
9 **and culture of this country.**

10 **c. It is fitting that the event of 1869 which renders New Jersey**  
11 **the birthplace of American football be commemorated through the**  
12 **erection of some suitable memorial; firstly, for the inherent im-**  
13 **portance of the event, and secondly, so that this State's historic**  
14 **role receive appropriate, public and durable recognition, together**  
15 **with any incidental benefits that may accrue to the State through**  
16 **the augmentation of tourism encouraged by this form of memorial.**

17 **d. While it is appropriate that organs of State Government**  
18 **provide organizational and administrative direction and support**  
19 **for this project, it is feasible and desirable that private organiza-**  
20 **tions, firms and citizens provide the means of carrying it out.**

1     2. There is created in the Division of Parks and Forestry in the  
2 Department of Environmental Protection a commission to be known  
3 as the New Jersey Birthplace of Football Monument Commission,  
4 hereinafter referred to as "the commission." The commission  
5 shall consist of a. the Commissioner of the Department of En-  
6 vironmental Protection, who shall be the chairman and chief ex-  
7 ecutive officer of the commission; b. the chairman, or his designee,  
8 of the New Jersey Historical Commission in the Department of  
9 State; c. the mayor of the city of New Brunswick; d. the Adminis-  
10 trator of the Office of New Jersey Heritage, within the Department  
11 of Environmental Protection; and e. three citizens and residents  
12 of this State not holding any other public office or position, who  
13 shall be chosen without regard to political affiliation and solely  
14 upon the basis of knowledge or experience in areas relevant to  
15 the duties and functions of the commission. Appointive members  
16 shall be appointed by the Governor with the advice and consent of  
17 the Senate, and shall serve for terms of three years, except that of  
18 the first three appointees, one shall serve for a term of three years,  
19 one shall serve for a term of two years and one for a term of one  
20 year. Vacancies among appointive members shall be filled in the  
21 same manner as the original appointment was made, but for the  
22 unexpired term only. Members of the commission shall serve with-  
23 out remuneration, but shall be entitled to reimbursement for actual  
24 expenses necessarily incurred in the performance of their duties  
25 as members of the commission.

1     3. a. For purposes of compliance with Article V, Section IV,  
2 paragraph 1 of the State Constitution, the commission created by  
3 this act is allocated to the Department of Environmental Protec-  
4 tion, which shall provide such office space and general clerical and  
5 administrative services and facilities as may be required for the  
6 performance of the commission's functions. The commission shall  
7 also be entitled to request and receive such technical, professional,  
8 managerial and administrative assistance as may be available  
9 from the Department of State and the Department of Commerce  
10 and Economic Development in relation to the responsibilities of  
11 those departments in the areas of historical preservation and the  
12 promotion of tourism, as well as from the Department of Environ-  
13 mental Protection in relation to its responsibility for historic sites.

14     b. Whenever the commission is authorized by this act, or by any  
15 other law, to acquire or dispose of property, to enter into contracts  
16 or other agreements, or to receive, hold, invest or disburse funds,  
17 it shall be the duty of the Commissioner of the Department of  
18 Environmental Protection, or of such subordinate official or officials

19 of the department as the commissioner may from time to time  
 20 charge with that responsibility, to carry out such transactions on  
 21 behalf of the commission when authorized and directed to do so  
 22 by a resolution of the commission duly adopted.

1 4. It shall be the duty of the commission to provide, within the  
 2 limit of funds and other means available pursuant to section 5  
 3 of this act, for the siting, design, erection and maintenance of a  
 4 suitable monument in the city of New Brunswick commemorating  
 5 the occasion of the first intercollegiate football game, which was  
 6 played in that city in the year 1869, together with such appurtenant  
 7 facilities and improvements as may be necessary or suitable for  
 8 the proper display of the monument and its fullest use and enjoy-  
 9 ment by the general public.

1 5. For the purpose of carrying out its duties under section 4 of  
 2 this act, the commission shall be entitled to:

- 3 a. Acquire, hold and dispose of real and personal property;
  - 4 b. Solicit and accept gifts, legacies, bequests and endowments  
 5 from private or public sources, and in connection therewith agree  
 6 to any regulations or restrictions on the use thereof not incon-  
 7 sistent with the terms and purposes of this act;
  - 8 c. Invest any funds received by it, and not immediately neces-  
 9 sary for carrying out its duties and functions, in securities which  
 10 are legal for trust funds in the State of New Jersey;
  - 11 d. Make, enter into and perform all contracts or agreements  
 12 necessary or incidental to the performance of its duties, powers  
 13 and functions.
- 1 6. This act shall take effect immediately.

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#### STATEMENT

This bill would provide for the erection of a monument in the city of New Brunswick to commemorate the playing of the first intercollegiate football game, which took place in that city in the year 1869.

The planning, erection and maintenance of the monument would be the responsibility of the "New Jersey Birthplace of Football Monument Commission" created by this bill, and would be financed by voluntary contributions. The commission would be allocated to the Department of Environmental Protection, which has general responsibility for "historic sites" in the State, for administrative purposes.

The Commissioner of the Department of Environmental Protection would be the ex officio chairman and chief executive officer

of the commission, and would act for the commission, at its direction, in carrying out acquisition of property, execution of contracts, and other transactions. Other members of the commission would be: (1) the chairman of the New Jersey Historical Commission, or his designee, (2) the Mayor of New Brunswick, (3) the administrator of the Office of New Jersey Heritage in the Department of Environmental Protection, and (4) three citizens appointed by the Governor for terms of three years, staggered to provide for one appointment each year after the initial appointments.

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#### ENVIRONMENT—GENERAL

Creates a commission to erect and maintain a memorial to the "birthplace of American football" in the city of New Brunswick, to be financed by voluntary contributions.

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8 c. Invest any funds received by it, and not immediately neces-  
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ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2103**

**STATE OF NEW JERSEY**

DATED: MAY 22, 1986

The Assembly State Government Committee reports favorably Assembly Bill No. 2103.

This bill would provide for the erection of a monument in the city of New Brunswick to commemorate the playing of the first intercollegiate football game, which took place in that city between Rutgers College and the College of New Jersey (Princeton) in the year 1869.

The planning, erection and maintenance of the monument would be the responsibility of the "New Jersey Birthplace of Football Monument Commission" created by this bill, and would be financed by voluntary contributions. The commission would be allocated to the Department of Environmental Protection, which has general responsibility for "historic sites" in the State.

The Commissioner of the Department of Environmental Protection would be the ex officio chairman and chief executive officer of the commission, and would act for the commission, at its direction, in carrying out acquisition of property, execution of contracts, and other transactions. Other members of the commission would be (1) the chairman of the New Jersey Historical Commission, or his designee, (2) the mayor of New Brunswick, (3) the administrator or the Office of New Jersey Heritage in the Department of Environmental Protection, and (4) three citizens appointed by the Governor for terms of three years, staggered to provide for one appointment each year after the initial appointments.





# OFFICE OF THE GOVERNOR NEWS RELEASE

**CN-001**

**Contact:** CARL R. GOLDEN  
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**TRENTON, N.J. 08625**

**Release:** TUES., SEPT. 23, 1986

Acting Governor Chuck Hardwick today signed legislation to create a seven-member "New Jersey Birthplace of Football Monument Commission" to place a monument in New Brunswick to commemorate the playing of the Nation's first intercollegiate football game.

The legislation, A-2103, sponsored by Assemblyman David Schwartz, D-Middlesex, was signed by the Acting Governor at a public ceremony in the Governor's Office.

The Commission will be responsible for the planning, construction and maintenance of a monument in the City of New Brunswick to recognize the playing of the first intercollegiate football game between Rutgers College and the College of New Jersey --- now known as Princeton University --- in 1869.

In addition to three public members appointed by the Governor, the Commission will consist of the Commissioner of the Department of Environmental Protection (DEP), the Chairman of the New Jersey Historical Commission, the Mayor of New Brunswick, and the Administrator of the Office of New Jersey Heritage within the DEP.

- more -

"I am confident that the Commission will create a monument that properly reflects the courage of the players, the importance of the event and the historic role of the State in the development of college football," Hardwick said. "While college football has changed over the years, it has remained a worthwhile pursuit that promotes camaraderie, discipline and character in its players. The sport has also had a substantial impact upon the culture of this Nation and upon the colleges and universities that sponsor football programs."

"I am pleased to have the opportunity to sign a bill that recognizes another first in New Jersey," he added.

Hardwick also signed A-1807, sponsored by Assembly Majority Leader Chuck Haytaian, R-Warren, to permit a local unit of government which had created a municipal utilities authority to dissolve the authority.

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