

CHAPTER 73 LAWS OF N. J. 1969

APPROVED 6-4-69

SENATE, No. 770

STATE OF NEW JERSEY

INTRODUCED MAY 1, 1969

By Senators BATEMAN, SEARS, MARAZITI and CRABIEL

(Without Reference)

AN ACT to amend the title of "An act to incorporate the Drew Theological Seminary of the Methodist Episcopal Church," approved February 12, 1868 (P. L. 1868, c. II), so that the same shall read "An act to incorporate Drew University," and to amend the body of said act.

1 WHEREAS, By the Laws of New Jersey of 1868, Chapter II, the
2 persons therein named were constituted a body corporate by the
3 name of "Drew Theological Seminary of the Methodist Episco-
4 pal Church" with authorization to change the name to Drew Uni-
5 versity, which was, in fact, done in the year 1928; and

6 WHEREAS, Drew University desires to continue under its charter
7 so granted by the Legislature of the State of New Jersey but
8 seeks certain changes in governing and procedural matters to
9 which changes the New Jersey Legislature agrees:

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

1 1. The title of P. L. 1868, chapter II is amended to read as fol-
2 lows:

3 An act to incorporate **[the]** Drew **[Theological Seminary of**
4 **the Methodist Episcopal Church]** *University*.

1 2. Section 1 of the act of which this act is amendatory is amended
2 to read as follows:

3 1. That Daniel Drew, Edmund S. Janes, George T. Cobb, Mat-
4 thew Simpson, Enoch L. Fancher, James M. Tuttle, Theodore
5 Runyon, Daniel Curry, Benjamin F. Manierre, Charles B. Sing,
6 Cornelius Walsh, John S. Porter, Francis H. Root, John P. Durbin,
7 James Bishop, R. L. Dashiell, Daniel L. Ross, Morris D'C. Craw-
8 ford, Daniel D. Chamberlain, Archibald C. Foss, John E. Ocker-
9 shausen, Leonard M. Vincent, William Wells, George F. Brown,

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

10 William W. Drew, William H. Ferris, John A. Wright, John Lana-
11 han, Charles C. North, Thompson Mitchell, and their successors
12 in office as herein provided for, are hereby constituted a body cor-
13 porate by the name of [“Drew Theological Seminary of the Metho-
14 dist Episcopal Church”] *Drew University*, and by that name the
15 corporation shall have perpetual succession, the right to sue and
16 be sued, the right to contract and be contracted with, and to make
17 and use a common seal, and to alter the same at pleasure, and may
18 acquire, have, hold, possess, use and enjoy upon the trusts, and
19 for the uses and purposes of said corporation, by purchase, gift,
20 grant, devise or bequest, any real estate or personal property, and
21 may let, lease, sell, grant, alien and convey any of said real estate
22 or personal property [subject, however, to the limitations herein
23 contained,] and shall possess, enjoy and exercise all the rights,
24 powers and privileges of corporations conferred by law, or by the
25 statutes of this State.

1 3. Section 2 of the act of which this act is amendatory is amended
2 to read as follows:

3 2. That the objects and purposes of the said corporation are the
4 establishment, maintenance and support within the State of New
5 Jersey of a [theological faculty and seminary, and of theological
6 instruction and education therein, under the direction and super-
7 vision of the General Conference of the Methodist Episcopal
8 Church in the United States, and in consonance with the doctrines
9 and discipline of the said church, with power to confer on graduates
10 of said seminary proper degrees in theology, and to exercise the
11 prerogative of a university in conferring honorary degrees in
12 theology upon clergymen, with power also to organize faculties of
13 arts, law, literature and medicine at such time as the said corpora-
14 tion may see fit, and to that end to appoint professors in said
15 faculties, and through them to provide instruction in the arts, law,
16 literature and medicine, and to confer degrees in the same, and to
17 use and exercise all the powers and functions of a university, and
18 said corporation is hereby authorized and empowered, whenever
19 it shall desire so to do, to change its corporate name to that of the
20 Drew University, said change to be effected by filing in the office
21 of the Secretary of State, of this State, a certificate signed by the
22 president of the board of trustees for the time being, by order of
23 said board, of their intention so to change said name, and upon the
24 filing of said certificate said corporation shall thenceforward be
25 known by the said name of Drew University; provided, that said
26 change of name shall not in any wise affect the title to any of the
27 property of the corporation; but said corporation shall have and

28 enjoy all its franchises, property, rights and privileges, and have
 29 succession in all respects as if its name had not been changed,]
 30 *non-profit university for the promotion of education with power*
 31 *to organize faculties of arts, law, literature, medicine, science and*
 32 *theology and such other academic disciplines as it may from time*
 33 *to time determine and to use and exercise all the powers and func-*
 34 *tions of a university. A theological school, ecumenical in char-*
 35 *acter, shall be continued and maintained in relation to the founding*
 36 *Methodist Episcopal Church and its successors. The university*
 37 *shall have the power to grant and confer diplomas and the usual*
 38 *college and university degrees, and honorary degrees, and also such*
 39 *other powers as may be necessary fully to carry out and execute*
 40 *the general purposes of the corporation as herein provided.*

1 4. Section 3 of the act of which this act is amendatory is amended
 2 to read as follows:

3 3. That the government of the said corporation and the manage-
 4 ment of its property, business and affairs are hereby vested in a
 5 board of trustees, [consisting of 31 persons, constituted as follows,
 6 vis.: 15 ministers and 15 laymen, and the president of the faculty
 7 herein provided for ex-officio, all of whom shall be in good standing
 8 as ministers or members of the Methodist Episcopal Church, and
 9 9 of such trustees shall constitute a quorum of said board, compe-
 10 tent to act any regular or adjourned meeting thereof, and the said
 11 trustees, as such, shall constitute the said corporation.] *which shall*
 12 *consist of not less than 20 nor more than 50 members, and the*
 13 *president of the university shall be a member ex-officio without*
 14 *vote.*

1 5. Section 4 of the act of which this act is amendatory is amended
 2 to read as follows:

3 4. That all the persons first herein named, to whom shall be
 4 added the said president of the faculty when appointed, shall be
 5 and act as the first board of trustees of said corporation until their
 6 successors are elected [as herein provided, and at the first meeting
 7 of the said trustees they shall divide the members of said board,
 8 not including said president of the faculty, into 3 classes, numbered
 9 1, 2 and 3, and proceed to determine by lot which of said trustees,
 10 other than said president of the faculty, shall fill said classes re-
 11 spectively, and each class shall contain 5 ministers and 5 laymen;
 12 and the terms of office of the trustees in class number 1 shall expire
 13 on July 1, 1868; and of those in class number 2, on July 1, 1872;
 14 and of those in class number 3, on July 1, 1876, and at any regular
 15 session or meeting of the said general conference preceding the
 16 expiration of the terms of office of said trustees as aforesaid, the

17 said general conference may elect 10 trustees, of whom 5 shall be
 18 ministers and 5 laymen, to succeed those trustees whose terms are
 19 about to expire, to hold office as such trustees for 12 years and
 20 until their successors are elected, and the trustees thus elected
 21 shall succeed to all the rights, powers and privileges, and shall
 22 perform all the duties herein conferred and imposed upon their
 23 immediate predecessors as trustees, and shall, at the expiration of
 24 their respective terms of office, surrender all their rights, powers,
 25 privileges and prerogatives as said corporation, as well as trustees,
 26 to their successors, and any vacancy occurring from any cause in
 27 said office of trustee shall be filled by the remaining trustees to hold
 28 until next session of the general conference;]. *The trustees in*
 29 *office at the date of this amendment shall continue in office until*
 30 *such time as their successors are duly elected. The trustees shall*
 31 *meet at least twice in each calendar year. [failure] Failure to*
 32 *elect trustees shall not work a forfeiture of this charter or the dis-*
 33 *solution of the corporation hereby created, or of the privileges*
 34 *thereby granted.*

1 6. Section 5 of the act of which this act is amendatory is amended
 2 to read as follows:

3 5. That the said trustees at the first meeting of the said board,
 4 and annually thereafter, shall organize said board by the election
 5 from their number of a [president, secretary and treasurer,] *chair-*
 6 *man, one or more vice-chairmen, a secretary and such other officers*
 7 *as they may deem appropriate, and shall have power to adopt and*
 8 *enforce a constitution and such by-laws, rules and regulations, not*
 9 *inconsistent with the constitution or laws of this State or of the*
 10 *United States, as may be deemed advisable for the government of*
 11 *the business and affairs of said corporation and for the regulation*
 12 *of the action of said board, its officers and agents, in the discharge*
 13 *of its and their duties in fully executing and carrying into effect*
 14 *the objects, intents and purposes of this act [; but the acts of the*
 15 *said trustees, as such, shall be subject at all times, and subordinate*
 16 *to the directions and instructions of said general conference rela-*
 17 *tive thereto, and no contract requiring an expenditure greater than*
 18 *\$10,000.00, and no sale, conveyance, or transfer of any property of*
 19 *greater value than the sum of \$5,000.00 shall be made, except by*
 20 *permission first obtained from said general conference or from the*
 21 *chancellor of this State; nor shall any debts be contracted without*
 22 *the like permission whenever the debts of the corporation shall*
 23 *amount in the aggregate to more than \$5,000.00; and]. *The by-**
 24 *laws may contain, among their provisions, provisions for determ-*
 25 *ining the number of trustees, eligibility to membership in the board*

26 of trustees, the manner of election of trustees; their term of office
27 and procedures for removal. [the] The property of said corpora-
28 tion, real and personal, shall be exempt from assessment and from
29 taxation.

1 7. Section 6 of the act of which this act is amendatory is amended
2 to read as follows:

3 6. That the first faculty in theology shall be appointed by the
4 trustees, but all vacancies thereafter occurring by the resignation,
5 death or removal of professors in said faculty of theology shall be
6 filled [as follows, namely: the board of bishops of the Methodist
7 Episcopal Church shall nominate 3 persons for each such vacancy
8 from whom the trustees of the corporation herein created, may
9 choose one to fill said vacancy, or if they see fit so to do, they may
10 reject all of said persons so nominated and return the names ac-
11 cordingly to said board of bishops, who shall again nominate in
12 like manner until a choice shall have been made by the trustees
13 from such nominees; and should additional chairs in said faculty
14 of theology be created at any time, the first professors in such
15 chairs shall be chosen by the trustees; and vacancies thereafter
16 occurring shall be filled as above provided; the board of trustees
17 may at any time found professorships and scholarships, and they
18 may also appoint adjunct professors, lecturers, tutors, and other
19 necessary officers] as may be provided in the by-laws. The by-laws
20 may contain among their provisions, provisions for the selection
21 of a president and other administrative staff of the university, and
22 their removal, and for the selection of members of the instructional
23 staff, and their removal.

1 8. This act shall take effect immediately.

NOTATIONS

Dumont
 —Increases from \$25.00 to \$45.00 the weekly benefits from \$1,500 to \$3,000 the death benefits for civil defense persons who suffer injury as a result of participation in organized civil defense service.
 5—Passed in Senate.
 13—Passed in Assembly.
 16—Approved, Chapter 296.

Rinaldo, LaCorte, McDermott
 —Increases from 60 to 65 days the period of the time of adjustment has to render a decision on an appeal.
 8—Passed in Senate.
 13—Passed in Assembly.
 16—Approved, Chapter 296.

Del Tufo, Lynch
 —Permits the State professional boards to license non-applicants who have declared their intention of becoming licensees.
 28—Commerce, Ind. & Professions Com.

Sears, Tanzman
 —Permits alternate members of a board of adjustment to participate in the board's decision.
 8—Passed in Senate.
 13—Passed in Assembly.
 19—Filed in State Library.

Forsythe
 —Provides for the formulation of a plan, by January 1, 1970, by the Chief Justice for the merger of the municipal courts into the county district courts; appropriates \$50,000.
 28—Judiciary Com.

Crabiel, Forsythe
 —Requires the public disclosure of certain information on persons seeking to influence legislation.
 28—State Gov't Com.

Knowlton, Dickinson, Schiaffo, Guarini, Lynch
 —Requires tenants of residential premises be given 30 days' notice of an increase in rent.
 28—Rev. & Amend. of Laws Com.

Hiering
 —Establishes conditions under which a license to practice medicine or surgery and chiropractic may be suspended.
 28—Commerce, Ind. & Professions Com.

Woodcock, Crabiel
 —Permits the Civil Service Commission to waive citizenship requirements when there is a shortage of personnel; prohibits discrimination in civil service appointments based on race or nationality; permits the commission to examine applicants from outside a county, municipality or school district due to a shortage of personnel.
 28—Rev. & Amend. of Laws Com.

Woodcock, Crabiel
 —Permits civil service eligible lists to be temporarily suspended for the certification and appointment of any persons whose appointment has been the subject of litigation; permits the commission to extend the term of the effectiveness of an employment list for up to 3 years.
 28—Rev. & Amend. of Laws Com.

Woodcock, Dickinson
 —Includes in the definition of "veterans" in the civil service laws, any person who has served for at least 90 days in a campaign or expedition for which a campaign badge has been authorized.
 28—Rev. & Amend. of Laws Com.

Bateman, Knowlton
 —Appropriates \$950,000 as the State's share of Social Security taxes for State employees to June 30, 1969.
 1—Passed in Senate.
 15—Passed in Assembly.
 16—Approved, Chapter 49.

Giuliano, Maturri, Del Tufo, Wallwork, Waldor, Bateman, Stout
 —Permits the Chief Justice to temporarily assign a judge to a Juvenile and Domestic Relations Court or County Court to any other court, provides reimbursement of the salary per day to a county when a full-time judge is assigned to the court.
 1—Passed in Senate.
 15—Passed in Assembly.
 21—Approved, Chapter 55.

Guarini, Musto, Hauser
 —Permits a city to borrow to improve a municipal utility in accordance with the Local Bond Law.
 28—No Ref., 2nd reading.

Guarini, Musto, Hauser, Schiaffo, Knowlton, Dickinson, Maturri, Giuliano, Maraziti
 —Appropriates \$352,000 for the acquisition of the Hudson County Court House by the Department of Higher Education.
 28—No Ref., 2nd reading.

Del Tufo, Giuliano, Maturri, Wallwork, Waldor
 —Permits 1st class counties to issue \$1,500,000 bonds, in addition to any bonds theretofore authorized by law, when approved by the park commission. (FN—\$90,000 per county)
 12—Passed in Senate.
 15—Passed in Assembly.
 5—Approved, Chapter 134.

Sears
 —Provides for the taxation of bank stock when banks are located in more than 1 county; effective July 1, 1969.
 1—Banking & Insurance Com.

Wallwork, Maturri, Waldor, Del Tufo, LaCorte, Sisco
 —Requires the preparation and furnishing of a fiscal impact statement to certain effects of bills proposed for introduction in the Legislature; effective January 1, 1970.
 1—County & Mun. Gov't Com.

Woodcock, Knowlton, Schiaffo, Hagedorn, Dickinson
 —Repeals the statute which required the tax collector to file to the county board of taxation a list of veterans' names.
 1—Taxation Com.
 5—Reported, 2nd reading.

S 761 Coffee, Knowlton
 May 1—Permits the Commuter Operating Agency to enter into contracts with motor bus carriers to provide passenger service for senior citizens at 1/2 of the usual or ordinary fare.
 May 1—Transportation & Pub. Util. Com.

S 762 White, Sears, Crabiel, Forsythe
 May 1—Designated the "New Jersey General State Authority Law of 1969," creates the New Jersey General State Authority to facilitate the construction and improvement of capitol facilities for use by the State; appropriates \$100,000.
 May 1—State Gov't Com.
 May 5—Reported, 2nd reading.
 May 8—Laid over.
 May 8—Amended.
 May 8—2nd reading, amended.
 May 12—Passed in Senate, amended.
 May 12—Received in Assembly.
 May 12—No Ref., 2nd reading.
 May 20—Rev. & Amend. of Laws Com.

S 763 Waldor
 May 1—Appropriates \$5,500,000 for salary increases for Newark police and firemen; creates a commission to study police and fire protection efficiency.
 May 1—Appropriations Com.

S 764 Dumont
 May 1—Provides for a pension to a widow of a retired member of the State police, retroactive to July 1, 1961.
 May 12—Passed in Senate.
 Jan. 13—Passed in Assembly.
 Jan. 15—Approved, Chapter 283.

S 765 Giuliano, Wallwork, Maturri, Waldor, Del Tufo, Italiano, H. Kelly, Dickinson, McDermott, Maraziti
 May 1—Provides that urban area manufacturing risks are eligible for insurance through the New Jersey Insurance Underwriting Association (P.L. 1968, c. 129).
 May 8—Passed in Senate, amended.
 May 20—Passed in Assembly.
 June 11—Approved, Chapter 84.

S 766 Sears, Bateman, Lynch
 May 1—Designated the "New Jersey Bank Security Act," provides for security measures for banks, savings banks, savings and loan associations, banking and other financial institutions.
 May 1—Banking & Insurance Com.

S 767 Guarini
 May 1—Designated the "Judicial Retirement System Act," establishes a judicial retirement system for all courts in the State.
 May 1—Judiciary Com.

S 768 Rinaldo, LaCorte, McDermott
 May 1—Permits a cemetery association to lease unused cemetery land for non-profit, religious, educational or charitable purposes.
 May 8—Passed in Senate.
 May 20—Passed in Assembly.
 June 17—Approved, Chapter 87.

S 769 Forsythe, Maraziti, Schiaffo, Dumont, Italiano
 May 1—Establishes in the Department of Health a program for the care of persons suffering from chronic renal diseases; appropriates \$250,000.
 May 12—Passed in Senate.
 May 20—Passed in Assembly.
 June 4—Approved, Chapter 72.

S 770 Bateman, Sears, Maraziti, Crabiel
 May 1—Changes the name of Drew Theological Seminary of the Methodist Episcopal Church to Drew University.
 May 8—Passed in Senate.
 May 15—Passed in Assembly.
 June 4—Approved, Chapter 73.

S 771 Woodcock
 May 1—Provides that a company which owns more than 25% of the stock of any bank shall exercise no function or engage in any activity other than a function or activity in which a bank may engage.
 May 1—No Ref., 2nd reading.
 May 5—Passed in Senate.
 May 5—Received in Assembly.
 May 5—No Ref., 2nd reading.
 May 12—Amended.
 May 12—2nd reading, amended.
 May 12—Passed Assemb. under emerg. resolution, amended.
 May 12—Received in Senate.
 May 12—No Ref., 2nd reading.

S 772 H. Kelly
 May 5—Permits any guard in the employ of any permit holder conducting pari-mutual wagering to carry a weapon.
 May 5—Law, Public Safety & Defense Com.
 May 12—Reported, 2nd reading.
 May 15—Passed in Senate.
 May 15—Received in Assembly.
 May 15—No Ref., 2nd reading.
 May 20—Rev. & Amend. of Laws Com.

S 773 Guarini, Hauser, Musto, Dumont, Dickinson
 May 5—Creates a 15 member War Veterans Commission in the Department of Institutions and Agencies, provides for the consolidation of all veterans facilities under the jurisdiction of the Commission.
 May 5—Institutions & Welfare Com.

S 774 Wallwork, Tanzman
 May 5—Designated the "County Health Department Act of 1969," permits the establishment of County Departments of Health.
 May 5—Air, Water Pollution & Public Health Com.

S 775 Guarini, Musto
 May 6—Permits a jury in a wrongful death action to award damages for burial expenses.
 May 5—Rev. & Amend. of Laws Com.

S 776 Tanzman, Wallwork
 May 5—Permits any 2 or more contiguous municipalities in 1 or more counties to create a consolidated local health district.
 May 5—Air, Water Pollution & Public Health Com.

S 777 Farley
 May 5—Grants a pension served at least 9 years attained the age of 70 years or more years in the postal office, position or Legislature for at least 5 years.
 May 8—Passed in Senate.
 May 12—Passed in Assembly.
 Dec. 1—Returned by the Senate.
 Dec. 1—Amended by the Senate.
 Dec. 2—Approved, Chapter 84.

S 778—Schiaffo, Craton, Hagedorn, Rinaldo, Farley, Rinaldo
 May 5—Permits the State to continue service bus or rail transit service terminating all bus service \$750,000; terminates July 15—Passed in Senate.
 July 2—Passed in Assembly.
 July 2—Approved, Chapter 84.

S 779 Bateman
 May 5—Provides for the purchase of school district property.
 May 5—No Ref., 2nd reading.
 July 2—Passed in Senate.
 July 2—Passed in Assembly.
 July 2—Approved, Chapter 84.

S 780 Wallwork, Craton
 May 5—Designated the "Law," facilitates the establishment of school districts authorized to issue Jersey Municipal Bonds.
 May 5—No Ref., 2nd reading.

S 781 Forsythe, Craton
 May 5—Permits the State to collect the penalties for a person to collect the penalties.
 May 5—No Ref., 2nd reading.

S 782 Sciro, Schoem, May 8
 —Requires board of attending county voters.
 May 8—No Ref., 2nd reading.

S 783 Hiering
 May 8—Provides for the State Department of Education.
 May 8—Education Com.

S 784 W. Kelly, Guarini
 May 8—Amends the rights to air space.
 May 8—County & Mun. Gov't Com.

S 785 Stout, Farley
 May 8—Provides that deemed to be transacted by the settlor act performed in order any contract of insurance.
 May 8—Banking & Insurance Com.

S 786 Guarini, Dickinson
 May 8—Permits certain special charter to apply of trustees.
 Nov. 24—Passed in Senate.
 Jan. 13—Passed in Assembly.
 Jan. 15—Approved, Chapter 84.

S 787 Miller
 May 8—Exempts from apparatus, equipment directly and primarily in the production department.
 May 8—Taxation Com.

S 788 Woodcock, Craton
 May 8—Permits hearing commission to be postponed accompanied by timely.
 May 8—Rev. & Amend. of Laws Com.

S 789 Woodcock, Craton
 May 8—Provides for conditions, permits the production.
 May 8—Rev. & Amend. of Laws Com.

S 790 Woodcock, Craton
 May 8—Provides for the Civil Service Examination announcement.
 May 8—Rev. & Amend. of Laws Com.

S 791 Hiering
 May 8—Provides for health certificates to use in establishing education and employment.
 May 8—Education Com.

S 792 Dumont
 May 8—Appropriates on behalf of the Public Utilities Commission.
 May 8—No Ref., 2nd reading.
 May 12—Passed in Senate.
 May 12—Received in Assembly.
 May 12—No Ref., 2nd reading.
 May 20—Rev. & Amend. of Laws Com.
 Nov. 24—Reported,