

52:16A-70

LEGISLATIVE HISTORY CHECK Compiled by the NJ State Law Library

LAWS OF: 1999 **CHAPTER:** 437

NJSA: 52:16A-70 (Abolishes State Museum)

BILL NO: A3280 (Substituted for S1970)

SPONSOR(S): Wright and Kramer

DATE INTRODUCED: June 17, 1999

COMMITTEE: **ASSEMBLY:** State Government

SENATE: -----

AMENDED DURING PASSAGE: No

DATE OF PASSAGE: **ASSEMBLY:** December 13, 1999

SENATE: January 10, 2000

DATE OF APPROVAL: January 18, 2000

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL: Original
(Amendments during passage denoted by superscript numbers)

A3280

SPONSORS STATEMENT: (Begins on 6 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#)

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

S1970

SPONSORS STATEMENT: (Begins on page 6 of original bill) [Yes](#)
Bill and Sponsors Statement identical to A3280

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: [Yes](#)
Identical to Assembly Statement for A3280

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS:

No

HEARINGS:

No

NEWSPAPER ARTICLES:

No

-

§§1-12
C.52:16A-60
to
52:16A-71
§14
Repealer
§15
Note to §§1-14

P.L. 1999, CHAPTER 437, *approved January 18, 2000*
Assembly, No. 3280

1 **AN ACT** concerning the New Jersey State Museum, amending
2 N.J.S.18A:73-20 and supplementing P.L.1948, c.445 (C.52:16A-1
3 et seq.), and repealing parts of the statutory law.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. (New section) There is hereby established in the Department of
9 State the New Jersey State Museum. The purpose of the New Jersey
10 State Museum shall be to collect, preserve, and interpret the cultural
11 and natural history of New Jersey in a national and world context to
12 visitors of all ages and diverse backgrounds and to preserve and
13 interpret the landmark property called Morven. The museum shall
14 accomplish this purpose through the presentation of exhibits,
15 education programs, publications and other services. Specific
16 collection areas shall include, but not be limited to, archaeology and
17 ethnology, decorative arts, fine arts, and natural history.

18
19 2. (New section) The Division of the State Museum continued in
20 the Department of Education pursuant to section 1 of P.L.1969, c.158
21 (C.18A:73-1) and transferred to the Department of State under the
22 Reorganization Plan of the Division of the State Museum in 1983
23 pursuant to the "State Agency Transfer Act," P.L.1971, c.375
24 (C.52:14D-1 et seq.), is abolished as a division in the Department of
25 State and all of its powers, functions, and duties are continued in the
26 museum.

27 All appropriations and other moneys available and to become
28 available to the division are hereby continued in the museum and shall
29 be available for the objects and purposes for which such moneys are
30 appropriated subject to any terms, restrictions, limitations, or other
31 requirements imposed by State or federal law. Whenever, in any law,
32 rule, regulation, order, contract, document, judicial or administrative
33 proceeding or otherwise, reference is made to the Division of the State
34 Museum, the same shall mean and refer to the New Jersey State
35 Museum in the Department of State.

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

Matter underlined thus is new matter.

1 3. (New section) a. The general responsibility for the proper
2 operation of the New Jersey State Museum shall be vested in the board
3 of trustees, which shall possess the powers and duties specified in this
4 act. The board of trustees shall consist of 15 members: the Secretary
5 of State, or the Secretary's designee, ex officio and 14 public members,
6 to be appointed by the Governor with the advice and consent of the
7 Senate. Five of the public members shall be selected from the trustees
8 of the Friends of the New Jersey State Museum, one of whom shall be
9 the president of that body; three of the public members shall be
10 selected from the trustees of Historic Morven, Inc., one of whom shall
11 be the president of that body; and six of the public members shall be
12 selected from the public at large.

13 b. The term of office of each public member shall be five years,
14 except for the initial appointments which shall be made as follows: two
15 members shall be appointed for a one-year term, two members shall be
16 appointed for a two-year term, two members shall be appointed for a
17 three-year term, two members shall be appointed for a four-year term,
18 and four members shall be appointed for a five-year term. The terms
19 of the president of the Friends of the New Jersey State Museum and
20 the president of Historic Morven, Inc. shall coincide with the
21 presidents' terms of office. A public member of the board of trustees
22 may be removed by the Governor, for cause, upon notice and
23 opportunity to be heard. A vacancy occurring other than by expiration
24 of term shall be filled for the balance of the unexpired term only and
25 in the same manner as the original appointment. A member may serve
26 until a successor is appointed. No person shall serve for more than
27 two successive terms, provided, however, that any person appointed
28 to fill a vacancy shall be eligible for two successive terms after the
29 term for which the person was appointed to fill the vacancy.

30 c. There shall be five nonvoting, ex officio members of the board
31 of trustees, in addition to the 14 public members:

32 (1) Two members of the Senate, who are not of the same political
33 party, shall be appointed by the President of the Senate, and two
34 members of the General Assembly, who are not of the same political
35 party, shall be appointed by the Speaker of the General Assembly. The
36 legislative members shall serve for terms coextensive with the
37 legislative two-year term for which they were appointed, subject to
38 reappointment after the expiration of the legislative session.

39 (2) The Executive Director of the Museum.

40 d. The public members of the board of trustees shall serve without
41 compensation but shall be entitled to reimbursement for all actual and
42 necessary expenses incurred in the performance of their duties. The
43 nonvoting, ex officio members shall not receive any compensation for
44 services or reimbursement for expenses.

45

46 4. (New section) The Secretary of State, or the Secretary's

1 designee, shall serve as chair of the board of trustees. Under rules
2 adopted by the board, the board may establish an executive committee
3 composed of no fewer than three trustees, which committee may
4 exercise powers vested in and perform duties imposed upon the
5 trustees to the extent designated and permitted by the board of
6 trustees. The board may establish such advisory boards and
7 committees as it may deem advisable.

8
9 5. (New section) Members of the board of trustees shall be subject
10 to the provisions of the "New Jersey Conflicts of Interest Law,"
11 P.L.1971, c.182 (C.52:13D-12 et seq.).

12
13 6. (New section) A majority of the public members of the board
14 of trustees shall constitute a quorum for all purposes. No vacancy in
15 the membership of the board of trustees shall impair the right of a
16 quorum to exercise all the rights and perform the duties of the board.

17
18 7. (New section) A true copy of the minutes of every meeting of
19 the board of trustees shall be delivered promptly, after the certification
20 of the chair thereof, to the Governor. No action taken at a meeting by
21 the board of trustees shall have effect until approved by the Governor
22 or until 10 days after the copy of the minutes shall have been
23 delivered. If, in the 10-day period, the Governor returns the copy of
24 the minutes with a veto of any action taken by the board or any
25 member thereof at a meeting, such action shall be null. The Governor
26 may approve all or part of the action taken at a meeting prior to the
27 expiration of the 10-day period.

28
29 8. (New section) The board of trustees is hereby authorized and
30 empowered:

31 a. To employ an executive director of the museum.

32 b. To prescribe rules and regulations consistent with the laws and
33 rules of the State of New Jersey for the operation of the museum,
34 including those relating to operations, capital projects, collections,
35 exhibits, and services.

36 c. On behalf of the State and in furtherance of the purposes of the
37 museum, to solicit, receive and administer gifts, bequests and devises
38 of property of any kind whatsoever, and grants from agencies of the
39 United States government.

40 d. To make purchases for the collections and to dispose of items
41 in the collections by sale or auction.

42 e. To enter into contracts with individuals, organizations and
43 institutions for services or endeavors furthering the objectives of the
44 museum's programs.

45 f. To prepare and implement a fiscal plan for the museum which
46 shall include support from the State of New Jersey and the private

- 1 sector.
- 2 g. To submit an annual operational and capital funding request to
3 the Governor through the Department of State and the Division of
4 Budget and Accounting in the Department of the Treasury and to
5 expend or authorize the expenditure of funds derived from such
6 sources and funds as are appropriated by the State Legislature to the
7 museum.
- 8 h. To manage and control the museum, together with its contents,
9 furnishings, and other properties.
- 10 i. To care for and preserve property belonging to the museum.
- 11 j. To provide auxiliary services such as for the sale of books,
12 periodicals, and art supplies and to provide facilities for the operation
13 of food and beverage services at the museum.
- 14 k. To impose an admission charge to the museum, if deemed
15 appropriate.
- 16 l. To adopt by-laws for its own governance.
- 17 m. To operate branch museums and to give technical advice to
18 other museums.
- 19 n. To collect, preserve, and exhibit, in cooperation with the
20 Department of Military and Veterans' Affairs, Medals of Honor and
21 related memorabilia.
- 22 o. To provide, within the limits of funds appropriated therefor, for
23 a program of maintenance and support for services by the Newark
24 Museum Association for the educational and recreational use and
25 benefit of the public.
- 26
- 27 9. (New section) The board of trustees shall employ an executive
28 director who shall have a minimum of five years experience in the
29 management of a museum accredited by the American Association of
30 Museums or shall have been engaged for an equal amount of time in
31 the management of a similar and comparable institution. The
32 executive director shall serve at the pleasure of the board of trustees
33 and shall be in the unclassified service of the Civil Service. The
34 executive director shall carry out the policies of the board of trustees
35 under the direction of the chair.
- 36
- 37 10. (New section) The position and employment of the curators
38 and all other employees of the Division of the State Museum are
39 continued in the museum. The executive director may appoint such
40 employees as may be necessary, whose employment shall be in the
41 career service of the Civil Service.
- 42
- 43 11. (New section) The board of trustees shall submit an annual
44 report of its activities through the Department of State to the
45 Governor and the Legislature on or before November 1 of each year.
46 Such report shall contain at a minimum the annual financial statements

1 of the museum for the fiscal year ending the preceding June 30.

2

3 12. (New section) The Director of the Division of Budget and
4 Accounting, in the Department of the Treasury, the director's legally
5 authorized representatives, and the State Auditor are hereby
6 authorized and empowered from time to time to examine the accounts,
7 books, and records of the museum, and any of its related entities,
8 including its receipts, disbursements, contracts, investments and any
9 other matters relating thereto and to its financial standing.

10

11 13. N.J.S.18A:73-20 is amended to read as follows:

12 18A:73-20. State museum; under control of division of state
13 museum

14 The present state museum, including all of its collections and
15 exhibits, shall be under the control and management of the [division
16 of the state museum] New Jersey State Museum and its board of
17 trustees, established pursuant to P.L. , c. (C.) (now pending
18 before the Legislature as this bill).

19 (cf: N.J.S.18A:73-20)

20

21 14. N.J.S.18A:73-1 to N.J.S.18A:73-3, N.J.S.18A:73-5 to
22 N.J.S.18A:73-11, N.J.S.18A:73-14, and section 1 of P.L.1969, c.51
23 (C.18A:73-20.1) are repealed.

24

25 15. This act shall take effect on the 90th day after enactment.

26

27

28

STATEMENT

29

30 This bill abolishes the Division of the State Museum within the
31 Department of State and establishes an entity called the New Jersey
32 State Museum, in which is continued all of the division's powers,
33 functions and duties, in the Department of State.

34 The New Jersey State Museum will be governed by a board of
35 trustees that will consist of the Secretary of State and 14 public
36 members appointed by the Governor, with the advice and consent of
37 the Senate, to include representation from the trustees of the Friends
38 of the New Jersey State Museum, the trustees of Historic Morven,
39 Inc., and the public at large. There also will be five nonvoting, ex
40 officio members: four members of the Legislature and the executive
41 director of the museum. The minutes of the meetings of the board of
42 trustees will be submitted for approval to the Governor.

43 Under the bill, the board of trustees will employ an executive
44 director who will serve at the pleasure of the board and be in the
45 unclassified service of the Civil Service. The position of director of
46 the Division of the State Museum is currently in the career service.

1 The position and employment of the curators and all other employees
2 of the Division of the State Museum are continued in the museum and
3 continue to be in the career service.

4 The bill also repeals the sections of current law applicable to the
5 Division of the State Museum.

6

7

8

9

10 Abolishes Division of the State Museum; establishes New Jersey State
11 Museum as entity in Department of State governed by board of
12 trustees.

ASSEMBLY, No. 3280

STATE OF NEW JERSEY 208th LEGISLATURE

INTRODUCED JUNE 17, 1999

Sponsored by:

Assemblywoman BARBARA WRIGHT

District 14 (Mercer and Middlesex)

Assemblyman PAUL KRAMER

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Senators Littell and Inverso

SYNOPSIS

Abolishes Division of the State Museum; establishes New Jersey State Museum as entity in Department of State governed by board of trustees.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 1/11/2000)

1 AN ACT concerning the New Jersey State Museum, amending
2 N.J.S.18A:73-20 and supplementing P.L.1948, c.445 (C.52:16A-1
3 et seq.), and repealing parts of the statutory law.

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11 and natural history of New Jersey in a national and world context to
12 visitors of all ages and diverse backgrounds and to preserve and
13 interpret the landmark property called Morven. The museum shall
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16 collection areas shall include, but not be limited to, archaeology and
17 ethnology, decorative arts, fine arts, and natural history.

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19 2. (New section) The Division of the State Museum continued in
20 the Department of Education pursuant to section 1 of P.L.1969, c.158
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25 State and all of its powers, functions, and duties are continued in the
26 museum.

27 All appropriations and other moneys available and to become
28 available to the division are hereby continued in the museum and shall
29 be available for the objects and purposes for which such moneys are
30 appropriated subject to any terms, restrictions, limitations, or other
31 requirements imposed by State or federal law. Whenever, in any law,
32 rule, regulation, order, contract, document, judicial or administrative
33 proceeding or otherwise, reference is made to the Division of the State
34 Museum, the same shall mean and refer to the New Jersey State
35 Museum in the Department of State.

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38 operation of the New Jersey State Museum shall be vested in the board
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41 of State, or the Secretary's designee, ex officio and 14 public members,
42 to be appointed by the Governor with the advice and consent of the
43 Senate. Five of the public members shall be selected from the trustees

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

Matter underlined thus is new matter.

1 of the Friends of the New Jersey State Museum, one of whom shall be
2 the president of that body; three of the public members shall be
3 selected from the trustees of Historic Morven, Inc., one of whom shall
4 be the president of that body; and six of the public members shall be
5 selected from the public at large.

6 b. The term of office of each public member shall be five years,
7 except for the initial appointments which shall be made as follows: two
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17 of term shall be filled for the balance of the unexpired term only and
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19 until a successor is appointed. No person shall serve for more than
20 two successive terms, provided, however, that any person appointed
21 to fill a vacancy shall be eligible for two successive terms after the
22 term for which the person was appointed to fill the vacancy.

23 c. There shall be five nonvoting, ex officio members of the board
24 of trustees, in addition to the 14 public members:

25 (1) Two members of the Senate, who are not of the same political
26 party, shall be appointed by the President of the Senate, and two
27 members of the General Assembly, who are not of the same political
28 party, shall be appointed by the Speaker of the General Assembly. The
29 legislative members shall serve for terms coextensive with the
30 legislative two-year term for which they were appointed, subject to
31 reappointment after the expiration of the legislative session.

32 (2) The Executive Director of the Museum.

33 d. The public members of the board of trustees shall serve without
34 compensation but shall be entitled to reimbursement for all actual and
35 necessary expenses incurred in the performance of their duties. The
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40 designee, shall serve as chair of the board of trustees. Under rules
41 adopted by the board, the board may establish an executive committee
42 composed of no fewer than three trustees, which committee may
43 exercise powers vested in and perform duties imposed upon the
44 trustees to the extent designated and permitted by the board of
45 trustees. The board may establish such advisory boards and
46 committees as it may deem advisable.

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2 to the provisions of the "New Jersey Conflicts of Interest Law,"
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5 6. (New section) A majority of the public members of the board
6 of trustees shall constitute a quorum for all purposes. No vacancy in
7 the membership of the board of trustees shall impair the right of a
8 quorum to exercise all the rights and perform the duties of the board.

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10 7. (New section) A true copy of the minutes of every meeting of
11 the board of trustees shall be delivered promptly, after the certification
12 of the chair thereof, to the Governor. No action taken at a meeting by
13 the board of trustees shall have effect until approved by the Governor
14 or until 10 days after the copy of the minutes shall have been
15 delivered. If, in the 10-day period, the Governor returns the copy of
16 the minutes with a veto of any action taken by the board or any
17 member thereof at a meeting, such action shall be null. The Governor
18 may approve all or part of the action taken at a meeting prior to the
19 expiration of the 10-day period.

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21 8. (New section) The board of trustees is hereby authorized and
22 empowered:

23 a. To employ an executive director of the museum.

24 b. To prescribe rules and regulations consistent with the laws and
25 rules of the State of New Jersey for the operation of the museum,
26 including those relating to operations, capital projects, collections,
27 exhibits, and services.

28 c. On behalf of the State and in furtherance of the purposes of the
29 museum, to solicit, receive and administer gifts, bequests and devises
30 of property of any kind whatsoever, and grants from agencies of the
31 United States government.

32 d. To make purchases for the collections and to dispose of items
33 in the collections by sale or auction.

34 e. To enter into contracts with individuals, organizations and
35 institutions for services or endeavors furthering the objectives of the
36 museum's programs.

37 f. To prepare and implement a fiscal plan for the museum which
38 shall include support from the State of New Jersey and the private
39 sector.

40 g. To submit an annual operational and capital funding request to
41 the Governor through the Department of State and the Division of
42 Budget and Accounting in the Department of the Treasury and to
43 expend or authorize the expenditure of funds derived from such
44 sources and funds as are appropriated by the State Legislature to the
45 museum.

46 h. To manage and control the museum, together with its contents,

- 1 furnishings, and other properties.
- 2 i. To care for and preserve property belonging to the museum.
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4 periodicals, and art supplies and to provide facilities for the operation
5 of food and beverage services at the museum.
- 6 k. To impose an admission charge to the museum, if deemed
7 appropriate.
- 8 l. To adopt by-laws for its own governance.
- 9 m. To operate branch museums and to give technical advice to
10 other museums.
- 11 n. To collect, preserve, and exhibit, in cooperation with the
12 Department of Military and Veterans' Affairs, Medals of Honor and
13 related memorabilia.
- 14 o. To provide, within the limits of funds appropriated therefor, for
15 a program of maintenance and support for services by the Newark
16 Museum Association for the educational and recreational use and
17 benefit of the public.
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- 19 9. (New section) The board of trustees shall employ an executive
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21 management of a museum accredited by the American Association of
22 Museums or shall have been engaged for an equal amount of time in
23 the management of a similar and comparable institution. The
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25 and shall be in the unclassified service of the Civil Service. The
26 executive director shall carry out the policies of the board of trustees
27 under the direction of the chair.
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- 29 10. (New section) The position and employment of the curators
30 and all other employees of the Division of the State Museum are
31 continued in the museum. The executive director may appoint such
32 employees as may be necessary, whose employment shall be in the
33 career service of the Civil Service.
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36 report of its activities through the Department of State to the
37 Governor and the Legislature on or before November 1 of each year.
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39 of the museum for the fiscal year ending the preceding June 30.
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42 Accounting, in the Department of the Treasury, the director's legally
43 authorized representatives, and the State Auditor are hereby
44 authorized and empowered from time to time to examine the accounts,
45 books, and records of the museum, and any of its related entities,
46 including its receipts, disbursements, contracts, investments and any

1 other matters relating thereto and to its financial standing.

2

3 13. N.J.S.18A:73-20 is amended to read as follows:

4 18A:73-20. State museum; under control of division of state
5 museum

6 The present state museum, including all of its collections and
7 exhibits, shall be under the control and management of the [division
8 of the state museum] New Jersey State Museum and its board of
9 trustees, established pursuant to P.L. , c. (C.) (now pending
10 before the Legislature as this bill).

11 (cf: N.J.S.18A:73-20)

12

13 14. N.J.S.18A:73-1 to N.J.S.18A:73-3, N.J.S.18A:73-5 to
14 N.J.S.18A:73-11, N.J.S.18A:73-14, and section 1 of P.L.1969, c.51
15 (C.18A:73-20.1) are repealed.

16

17 15. This act shall take effect on the 90th day after enactment.

18

19

20

STATEMENT

21

22 This bill abolishes the Division of the State Museum within the
23 Department of State and establishes an entity called the New Jersey
24 State Museum, in which is continued all of the division's powers,
25 functions and duties, in the Department of State.

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31 Inc., and the public at large. There also will be five nonvoting, ex
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33 director of the museum. The minutes of the meetings of the board of
34 trustees will be submitted for approval to the Governor.

35 Under the bill, the board of trustees will employ an executive
36 director who will serve at the pleasure of the board and be in the
37 unclassified service of the Civil Service. The position of director of
38 the Division of the State Museum is currently in the career service.
39 The position and employment of the curators and all other employees
40 of the Division of the State Museum are continued in the museum and
41 continue to be in the career service.

42 The bill also repeals the sections of current law applicable to the
43 Division of the State Museum.

ASSEMBLY STATE GOVERNMENT COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3280

STATE OF NEW JERSEY

DATED: DECEMBER 6, 1999

The Assembly State Government Committee reports favorably Assembly, No. 3280.

This bill abolishes the Division of the State Museum within the Department of State and establishes an entity called the New Jersey State Museum, in which is continued all of the division's powers, functions and duties, in the Department of State.

The New Jersey State Museum will be governed by a board of trustees that will consist of the Secretary of State and 14 public members appointed by the Governor, with the advice and consent of the Senate, to include representation from the trustees of the Friends of the New Jersey State Museum, the trustees of Historic Morven, Inc., and the public at large. There also will be five nonvoting, ex officio members: four members of the Legislature and the executive director of the museum. The minutes of the meetings of the board of trustees will be submitted for approval to the Governor.

Under the bill, the board of trustees will employ an executive director who will serve at the pleasure of the board and be in the unclassified service of the Civil Service. The position of director of the Division of the State Museum is currently in the career service. The position and employment of the curators and all other employees of the Division of the State Museum are continued in the museum and continue to be in the career service.

The bill also repeals the sections of current law applicable to the Division of the State Museum.

Assembly, No. 3280 is identical to Senate, No. 1970.

SENATE, No. 1970

STATE OF NEW JERSEY
208th LEGISLATURE

INTRODUCED JUNE 14, 1999

Sponsored by:

Senator ROBERT E. LITTELL

District 24 (Sussex, Hunterdon and Morris)

Senator PETER A. INVERSO

District 14 (Mercer and Middlesex)

SYNOPSIS

Abolishes Division of the State Museum; establishes New Jersey State Museum as entity in Department of State governed by board of trustees.

CURRENT VERSION OF TEXT

As introduced.



S1970 LITTELL, INVERSO

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1 AN ACT concerning the New Jersey State Museum, amending
2 N.J.S.18A:73-20 and supplementing P.L.1948, c.445 (C.52:16A-1
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14 accomplish this purpose through the presentation of exhibits,
15 education programs, publications and other services. Specific
16 collection areas shall include, but not be limited to, archaeology and
17 ethnology, decorative arts, fine arts, and natural history.

18

19 2. (New section) The Division of the State Museum continued in
20 the Department of Education pursuant to section 1 of P.L.1969, c.158
21 (C.18A:73-1) and transferred to the Department of State under the
22 Reorganization Plan of the Division of the State Museum in 1983
23 pursuant to the "State Agency Transfer Act," P.L.1971, c.375
24 (C.52:14D-1 et seq.), is abolished as a division in the Department of
25 State and all of its powers, functions, and duties are continued in the
26 museum.

27 All appropriations and other moneys available and to become
28 available to the division are hereby continued in the museum and shall
29 be available for the objects and purposes for which such moneys are
30 appropriated subject to any terms, restrictions, limitations, or other
31 requirements imposed by State or federal law. Whenever, in any law,
32 rule, regulation, order, contract, document, judicial or administrative
33 proceeding or otherwise, reference is made to the Division of the State
34 Museum, the same shall mean and refer to the New Jersey State
35 Museum in the Department of State.

36

37 3. (New section) a. The general responsibility for the proper
38 operation of the New Jersey State Museum shall be vested in the board
39 of trustees, which shall possess the powers and duties specified in this
40 act. The board of trustees shall consist of 15 members: the Secretary
41 of State, or the Secretary's designee, ex officio and 14 public members,
42 to be appointed by the Governor with the advice and consent of the
43 Senate. Five of the public members shall be selected from the trustees

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

Matter underlined thus is new matter.

1 of the Friends of the New Jersey State Museum, one of whom shall be
2 the president of that body; three of the public members shall be
3 selected from the trustees of Historic Morven, Inc., one of whom shall
4 be the president of that body; and six of the public members shall be
5 selected from the public at large.

6 b. The term of office of each public member shall be five years,
7 except for the initial appointments which shall be made as follows: two
8 members shall be appointed for a one-year term, two members shall be
9 appointed for a two-year term, two members shall be appointed for a
10 three-year term, two members shall be appointed for a four-year term,
11 and four members shall be appointed for a five-year term. The terms
12 of the president of the Friends of the New Jersey State Museum and
13 the president of Historic Morven, Inc. shall coincide with the
14 presidents' terms of office. A public member of the board of trustees
15 may be removed by the Governor, for cause, upon notice and
16 opportunity to be heard. A vacancy occurring other than by expiration
17 of term shall be filled for the balance of the unexpired term only and
18 in the same manner as the original appointment. A member may serve
19 until a successor is appointed. No person shall serve for more than
20 two successive terms, provided, however, that any person appointed
21 to fill a vacancy shall be eligible for two successive terms after the
22 term for which the person was appointed to fill the vacancy.

23 c. There shall be five nonvoting, ex officio members of the board
24 of trustees, in addition to the 14 public members:

25 (1) Two members of the Senate, who are not of the same political
26 party, shall be appointed by the President of the Senate, and two
27 members of the General Assembly, who are not of the same political
28 party, shall be appointed by the Speaker of the General Assembly. The
29 legislative members shall serve for terms coextensive with the
30 legislative two-year term for which they were appointed, subject to
31 reappointment after the expiration of the legislative session.

32 (2) The Executive Director of the Museum.

33 d. The public members of the board of trustees shall serve without
34 compensation but shall be entitled to reimbursement for all actual and
35 necessary expenses incurred in the performance of their duties. The
36 nonvoting, ex officio members shall not receive any compensation for
37 services or reimbursement for expenses.

38

39 4. (New section) The Secretary of State, or the Secretary's
40 designee, shall serve as chair of the board of trustees. Under rules
41 adopted by the board, the board may establish an executive committee
42 composed of no fewer than three trustees, which committee may
43 exercise powers vested in and perform duties imposed upon the
44 trustees to the extent designated and permitted by the board of
45 trustees. The board may establish such advisory boards and
46 committees as it may deem advisable.

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1 5. (New section) Members of the board of trustees shall be subject
2 to the provisions of the "New Jersey Conflicts of Interest Law,"
3 P.L.1971, c.182 (C.52:13D-12 et seq.).

4
5 6. (New section) A majority of the public members of the board
6 of trustees shall constitute a quorum for all purposes. No vacancy in
7 the membership of the board of trustees shall impair the right of a
8 quorum to exercise all the rights and perform the duties of the board.

9
10 7. (New section) A true copy of the minutes of every meeting of
11 the board of trustees shall be delivered promptly, after the certification
12 of the chair thereof, to the Governor. No action taken at a meeting by
13 the board of trustees shall have effect until approved by the Governor
14 or until 10 days after the copy of the minutes shall have been
15 delivered. If, in the 10-day period, the Governor returns the copy of
16 the minutes with a veto of any action taken by the board or any
17 member thereof at a meeting, such action shall be null. The Governor
18 may approve all or part of the action taken at a meeting prior to the
19 expiration of the 10-day period.

20
21 8. (New section) The board of trustees is hereby authorized and
22 empowered:

23 a. To employ an executive director of the museum.

24 b. To prescribe rules and regulations consistent with the laws and
25 rules of the State of New Jersey for the operation of the museum,
26 including those relating to operations, capital projects, collections,
27 exhibits, and services.

28 c. On behalf of the State and in furtherance of the purposes of the
29 museum, to solicit, receive and administer gifts, bequests and devises
30 of property of any kind whatsoever, and grants from agencies of the
31 United States government.

32 d. To make purchases for the collections and to dispose of items
33 in the collections by sale or auction.

34 e. To enter into contracts with individuals, organizations and
35 institutions for services or endeavors furthering the objectives of the
36 museum's programs.

37 f. To prepare and implement a fiscal plan for the museum which
38 shall include support from the State of New Jersey and the private
39 sector.

40 g. To submit an annual operational and capital funding request to
41 the Governor through the Department of State and the Division of
42 Budget and Accounting in the Department of the Treasury and to
43 expend or authorize the expenditure of funds derived from such
44 sources and funds as are appropriated by the State Legislature to the
45 museum.

46 h. To manage and control the museum, together with its contents,

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5

1 furnishings, and other properties.

2 i. To care for and preserve property belonging to the museum.

3 j. To provide auxiliary services such as for the sale of books,
4 periodicals, and art supplies and to provide facilities for the operation
5 of food and beverage services at the museum.

6 k. To impose an admission charge to the museum, if deemed
7 appropriate.

8 l. To adopt by-laws for its own governance.

9 m. To operate branch museums and to give technical advice to
10 other museums.

11 n. To collect, preserve, and exhibit, in cooperation with the
12 Department of Military and Veterans' Affairs, Medals of Honor and
13 related memorabilia.

14 o. To provide, within the limits of funds appropriated therefor, for
15 a program of maintenance and support for services by the Newark
16 Museum Association for the educational and recreational use and
17 benefit of the public.

18

19 9. (New section) The board of trustees shall employ an executive
20 director who shall have a minimum of five years experience in the
21 management of a museum accredited by the American Association of
22 Museums or shall have been engaged for an equal amount of time in
23 the management of a similar and comparable institution. The
24 executive director shall serve at the pleasure of the board of trustees
25 and shall be in the unclassified service of the Civil Service. The
26 executive director shall carry out the policies of the board of trustees
27 under the direction of the chair.

28

29 10. (New section) The position and employment of the curators
30 and all other employees of the Division of the State Museum are
31 continued in the museum. The executive director may appoint such
32 employees as may be necessary, whose employment shall be in the
33 career service of the Civil Service.

34

35 11. (New section) The board of trustees shall submit an annual
36 report of its activities through the Department of State to the
37 Governor and the Legislature on or before November 1 of each year.
38 Such report shall contain at a minimum the annual financial statements
39 of the museum for the fiscal year ending the preceding June 30.

40

41 12. (New section) The Director of the Division of Budget and
42 Accounting, in the Department of the Treasury, the director's legally
43 authorized representatives, and the State Auditor are hereby
44 authorized and empowered from time to time to examine the accounts,
45 books, and records of the museum, and any of its related entities,
46 including its receipts, disbursements, contracts, investments and any

1 other matters relating thereto and to its financial standing.

2

3 13. N.J.S.18A:73-20 is amended to read as follows:

4 18A:73-20. State museum; under control of division of state
5 museum

6 The present state museum, including all of its collections and
7 exhibits, shall be under the control and management of the **【division**
8 **of the state museum】** New Jersey State Museum and its board of
9 trustees, established pursuant to P.L. , c. (C.) (now pending
10 before the Legislature as this bill).

11 (cf: N.J.S.18A:73-20)

12

13 14. N.J.S.18A:73-1 to N.J.S.18A:73-3, N.J.S.18A:73-5 to
14 N.J.S.18A:73-11, N.J.S.18A:73-14, and section 1 of P.L.1969, c.51
15 (C.18A:73-20.1) are repealed.

16

17 15. This act shall take effect on the 90th day after enactment.

18

19

20

STATEMENT

21

22 This bill abolishes the Division of the State Museum within the
23 Department of State and establishes an entity called the New Jersey
24 State Museum, in which is continued all of the division's powers,
25 functions and duties, in the Department of State.

26 The New Jersey State Museum will be governed by a board of
27 trustees that will consist of the Secretary of State and 14 public
28 members appointed by the Governor, with the advice and consent of
29 the Senate, to include representation from the trustees of the Friends
30 of the New Jersey State Museum, the trustees of Historic Morven,
31 Inc., and the public at large. There also will be five nonvoting, ex
32 officio members: four members of the Legislature and the executive
33 director of the museum. The minutes of the meetings of the board of
34 trustees will be submitted for approval to the Governor.

35 Under the bill, the board of trustees will employ an executive
36 director who will serve at the pleasure of the board and be in the
37 unclassified service of the Civil Service. The position of director of
38 the Division of the State Museum is currently in the career service.
39 The position and employment of the curators and all other employees
40 of the Division of the State Museum are continued in the museum and
41 continue to be in the career service.

42 The bill also repeals the sections of current law applicable to the
43 Division of the State Museum.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 1970

STATE OF NEW JERSEY

DATED: DECEMBER 13, 1999

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 1970.

This bill abolishes the Division of the State Museum within the Department of State and establishes instead within that department the New Jersey State Museum, in which all of the division's powers, functions and duties are continued.

The New Jersey State Museum will be governed by a board of trustees that will consist of the Secretary of State or the Secretary's designee, who shall serve as Chair of the board, and 14 public members appointed by the Governor with the advice and consent of the Senate. Of the public members, five are to be trustees of the Friends of the New Jersey State Museum, three are to be trustees of Historic Morven, Inc., and six are to be members of the public at large. There also will be five nonvoting, ex officio members: four members of the Legislature (two from each House not of the same political party, to be selected by the respective presiding officers thereof) and the executive director of the museum.

The minutes of the meetings of the board of trustees will be subject to veto by the Governor.

Under the bill, the board of trustees is to employ an executive director who will serve at the pleasure of the board and be in the unclassified service of the Civil Service. (Currently, the position of director of the Division of the State Museum is in the career service.) The position and employment of the curators and all other employees of the Division of the State Museum are continued in the museum and would continue to be in the career service.

The bill repeals the sections of current law applicable to the Division of the State Museum.

FISCAL IMPACT

This bill has not been certified as having a fiscal impact.