

52:18A-218

**LEGISLATIVE HISTORY CHECKLIST**  
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(Korean Veterans Memorial)

NJSA: 52:18A-218

LAWS OF: 1996 CHAPTER: 72

BILL NO: S198

SPONSOR(S): Singer

DATE INTRODUCED: Pre-filed

COMMITTEE: ASSEMBLY: Commerce

SENATE: Senior Citizens

AMENDED DURING PASSAGE: Yes Amendments during passage  
First reprint enacted denoted by superscript numbers

DATE OF PASSAGE: ASSEMBLY: June 17, 1996

SENATE: February 5, 1996

DATE OF APPROVAL: July 22 1996

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No

MESSAGE ON SIGNING: Yes

**FOLLOWING WERE PRINTED:**

REPORTS: No

HEARINGS: No

KBP:pp

§§1-3, 5 - T & E  
§4 - C.52:18A-218  
§6 - Approp.  
§7 - Note to §§1-6

P.L. 1996, CHAPTER 72, *approved July 22, 1996*  
Senate, No 198 (*First Reprint*)

1 AN ACT establishing the Korean Veterans' Memorial Committee,  
2 creating the Korean Veterans' Memorial Fund, supplementing Title  
3 52 of the Revised Statutes and making an appropriation.

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

7  
8 1. The Legislature finds and declares that:

9 a. New Jersey veterans of the Korean conflict have not received the  
10 recognition that they deserve;

11 b. It is proper that the citizens of this State pay tribute to the  
12 sacrifices that were made by the men and women of this State who  
13 served in Korea and to commemorate the courage that they displayed;  
14 and

15 c. A memorial is a fitting acknowledgement of the valor displayed  
16 by our military personnel who served in Korea, both living and dead.

17  
18 2. There is established in the Department of Military and Veterans'  
19 Affairs the Korean Veterans' Memorial Committee. The committee  
20 shall consist of 15 members as follows: the Secretary of State and the  
21 Adjutant General of the Department of Military and Veterans' Affairs,  
22 or their respective designees, who shall serve ex officio; two members  
23 of the Senate to be appointed by the President thereof, no more than  
24 one of whom shall be from the same political party; two members of  
25 the General Assembly to be appointed by the Speaker thereof, no more  
26 than one of whom shall be from the same political party; eight  
27 members of recognized veterans groups in this State, to be appointed  
28 by the Adjutant General with the approval of the Governor; and one  
29 public member who is a resident of this State, to be appointed by the  
30 Adjutant General with the approval of the Governor. In selecting

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup> Senate SSV committee amendments adopted January 18, 1996.

1 members of recognized veterans groups to serve on the commission,  
2 the Adjutant General shall give a preference to <sup>1</sup>[persons belonging  
3 to]<sup>1</sup> Korean War veterans <sup>1</sup>[organizations]<sup>1</sup>. Any vacancy in the  
4 membership of the committee shall be filled in the same manner as the  
5 original appointments are made. The committee shall select from  
6 among its members a chairperson and a vice chairperson, and shall  
7 select a secretary, who need not be a member of the committee.

8  
9 3. The committee shall select a suitable location for the  
10 construction of a Korean Veterans' Memorial honoring the New Jersey  
11 veterans of the Korean conflict, shall determine the appropriate  
12 method of financing the construction and maintenance of the  
13 memorial, and shall develop and administer a competition for the  
14 design of the memorial. The committee may initiate fund-raising  
15 measures and may receive monetary donations for the memorial. Any  
16 moneys received for these purposes by the committee shall be  
17 deposited into the fund created under section 4 of this act. Not later  
18 than six months after the effective date of this act, the committee shall  
19 report its findings and recommendations to the Legislature.

20  
21 4. There is created in the Department of the Treasury, a fund to be  
22 known as the Korean Veterans' Memorial Fund. The fund shall be  
23 credited with any moneys received by the Korean Veterans' Memorial  
24 Committee as donations under section 3 of this act, any moneys that  
25 may thereafter be donated by members of the public, the money  
26 appropriated to the fund under section 6 of this act and any other  
27 moneys appropriated to the fund by law. All interest on moneys in the  
28 fund shall be credited to the fund. The moneys in the fund shall be  
29 administered by the State Treasurer, to be held thereby in the fund  
30 until appropriated by law. Not later than six months after the effective  
31 date of this act, and periodically thereafter, the State Treasurer shall  
32 certify to the Legislature the total amount of moneys in the fund.

33  
34 5. a. No person serving as a member of the Korean Veterans'  
35 Memorial Committee established pursuant to section 2 of this act shall  
36 be liable for damages resulting from the exercise of judgement or  
37 discretion in connection with the duties of that person's office unless  
38 the actions evidence a reckless disregard for the duties imposed by the  
39 position.

40 b. No person who provides volunteer service or assistance to the  
41 Korean Veterans' Memorial Committee, including but not limited to a  
42 person who provides architectural or construction services, shall be  
43 liable for damages as a result of that person's actions of commission or  
44 omission arising out of and in the course of that person rendering the  
45 volunteer service or assistance.

46 Nothing in this subsection shall be deemed to grant immunity to any

1 person causing damage by that person's willful, wanton or grossly  
2 negligent act of commission or omission.

3 Nothing in this subsection shall be deemed to grant immunity to any  
4 person causing damage as the result of the negligent operation of a  
5 motor vehicle.

6

7 6. There is appropriated from the General Fund to the committee  
8 \$25,000 for the purposes stated in section 3 of this act.

9

10 7. This act shall take effect immediately and shall expire on the day  
11 that the Korean Veterans' Memorial is officially dedicated; except for  
12 section 4 hereof, which shall remain in effect.

13

14

15

16

17 Establishes Korean Veterans' Memorial Committee and creates Korean  
18 Veterans' Memorial Fund; appropriates \$25,000.

[First Reprint]  
SENATE, No. 198

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Senators SINGER and KOSCO

1 AN ACT establishing the Korean Veterans' Memorial Committee,  
2 creating the Korean Veterans' Memorial Fund, supplementing Title  
3 52 of the Revised Statutes and making an appropriation.

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

7  
8 1. The Legislature finds and declares that:  
9 a. New Jersey veterans of the Korean conflict have not received the  
10 recognition that they deserve;

11 b. It is proper that the citizens of this State pay tribute to the  
12 sacrifices that were made by the men and women of this State who  
13 served in Korea and to commemorate the courage that they displayed;  
14 and

15 c. A memorial is a fitting acknowledgement of the valor displayed  
16 by our military personnel who served in Korea, both living and dead.

17  
18 2. There is established in the Department of Military and Veterans'  
19 Affairs the Korean Veterans' Memorial Committee. The committee  
20 shall consist of 15 members as follows: the Secretary of State and the  
21 Adjutant General of the Department of Military and Veterans' Affairs,  
22 or their respective designees, who shall serve ex officio; two members  
23 of the Senate to be appointed by the President thereof, no more than  
24 one of whom shall be from the same political party; two members of  
25 the General Assembly to be appointed by the Speaker thereof, no more  
26 than one of whom shall be from the same political party; eight  
27 members of recognized veterans groups in this State, to be appointed  
28 by the Adjutant General with the approval of the Governor; and one  
29 public member who is a resident of this State, to be appointed by the  
30 Adjutant General with the approval of the Governor. In selecting

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

Matter underlined thus is new matter.

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<sup>1</sup> Senate SSV committee amendments adopted January 18, 1996.

1 members of recognized veterans groups to serve on the commission,  
2 the Adjutant General shall give a preference to '【persons belonging  
3 to】' Korean War veterans '【organizations】'. Any vacancy in the  
4 membership of the committee shall be filled in the same manner as the  
5 original appointments are made. The committee shall select from  
6 among its members a chairperson and a vice chairperson, and shall  
7 select a secretary, who need not be a member of the committee.

8

9 3. The committee shall select a suitable location for the  
10 construction of a Korean Veterans' Memorial honoring the New Jersey  
11 veterans of the Korean conflict, shall determine the appropriate  
12 method of financing the construction and maintenance of the  
13 memorial, and shall develop and administer a competition for the  
14 design of the memorial. The committee may initiate fund-raising  
15 measures and may receive monetary donations for the memorial. Any  
16 moneys received for these purposes by the committee shall be  
17 deposited into the fund created under section 4 of this act. Not later  
18 than six months after the effective date of this act, the committee shall  
19 report its findings and recommendations to the Legislature.

20

21 4. There is created in the Department of the Treasury, a fund to be  
22 known as the Korean Veterans' Memorial Fund. The fund shall be  
23 credited with any moneys received by the Korean Veterans' Memorial  
24 Committee as donations under section 3 of this act, any moneys that  
25 may thereafter be donated by members of the public, the money  
26 appropriated to the fund under section 6 of this act and any other  
27 moneys appropriated to the fund by law. All interest on moneys in the  
28 fund shall be credited to the fund. The moneys in the fund shall be  
29 administered by the State Treasurer, to be held thereby in the fund  
30 until appropriated by law. Not later than six months after the effective  
31 date of this act, and periodically thereafter, the State Treasurer shall  
32 certify to the Legislature the total amount of moneys in the fund.

33

34 5. a. No person serving as a member of the Korean Veterans'  
35 Memorial Committee established pursuant to section 2 of this act shall  
36 be liable for damages resulting from the exercise of judgement or  
37 discretion in connection with the duties of that person's office unless  
38 the actions evidence a reckless disregard for the duties imposed by the  
39 position.

40 b. No person who provides volunteer service or assistance to the  
41 Korean Veterans' Memorial Committee, including but not limited to a  
42 person who provides architectural or construction services, shall be  
43 liable for damages as a result of that person's actions of commission or  
44 omission arising out of and in the course of that person rendering the  
45 volunteer service or assistance.

46 Nothing in this subsection shall be deemed to grant immunity to any

1 person causing damage by that person's willful, wanton or grossly  
2 negligent act of commission or omission.

3 Nothing in this subsection shall be deemed to grant immunity to any  
4 person causing damage as the result of the negligent operation of a  
5 motor vehicle.

6

7 6. There is appropriated from the General Fund to the committee  
8 \$25,000 for the purposes stated in section 3 of this act.

9

10 7. This act shall take effect immediately and shall expire on the day  
11 that the Korean Veterans' Memorial is officially dedicated; except for  
12 section 4 hereof, which shall remain in effect.

13

14

15

16

17 Establishes Korean Veterans' Memorial Committee and creates Korean  
18 Veterans' Memorial Fund; appropriates \$25,000.

1       6. There is appropriated from the General Fund to the committee  
2 \$25,000 for the purposes stated in section 3 of this act.

3  
4       7. This act shall take effect immediately and shall expire on the day  
5 that the Korean Veterans' Memorial is officially dedicated; except for  
6 section 4 hereof, which shall remain in effect.

7  
8  
9   STATEMENT

10  
11       This bill establishes a Korean Veterans' Memorial Committee in the  
12 Department of Military and Veterans' Affairs and creates a Korean  
13 Veterans' Memorial Fund in the Department of the Treasury.

14       The committee consists of 15 members: the Secretary of State and  
15 the Adjutant General of the Department of Military and Veterans'  
16 Affairs, or their respective designees, who shall serve ex officio; two  
17 members of the Senate, no more than one of whom shall be from the  
18 same political party; two members of the General Assembly, no more  
19 than one of whom shall be from the same political party; eight  
20 members of recognized veterans groups in this State, to be appointed  
21 by the Adjutant General with the approval of the Governor; and one  
22 public member who is a resident of this State, to be appointed by the  
23 Adjutant General with the approval of the Governor.

24       The committee shall:

- 25       1) select a suitable location for the construction of a Korean  
26 Veterans' Memorial;  
27       2) determine the appropriate methods of financing the construction  
28 and maintenance of the memorial; and  
29       3) develop and administer a competition for the design of the  
30 memorial.

31       The Korean Veterans' Memorial Fund shall receive all moneys  
32 donated or appropriated by law for the purposes of this act. The  
33 committee may initiate fund-raising measures and may receive  
34 monetary donations for the memorial. All moneys received by the  
35 committee shall be deposited into the fund.

36       The bill also provides immunity to committee members for liability  
37 for damages resulting from the exercise of their judgement or  
38 discretion in connection with the duties of the office, unless the actions  
39 evidence a reckless disregard for the rules imposed by the position.

40       The bill appropriates \$25,000 from the General Fund to the  
41 committee for the purposes of this act.

42  
43  
44  
45   —————  
46 Establishes Korean Veterans' Memorial Committee and creates Korean  
Veterans' Memorial Fund; appropriates \$25,000.



ASSEMBLY COMMERCE AND MILITARY AND VETERANS'  
AFFAIRS COMMITTEE

STATEMENT TO

[First Reprint]

**SENATE, No. 198**

**STATE OF NEW JERSEY**

DATED: JUNE 3, 1996

The Assembly Commerce and Military and Veterans' Affairs Committee reports favorably Senate Bill No. 198(1R).

This bill establishes a Korean Veterans' Memorial Committee in the Department of Military and Veterans' Affairs and creates a Korean Veterans' Memorial Fund in the Department of the Treasury.

The committee consists of 15 members: the Secretary of State and the Adjutant General of the Department of Military and Veterans' Affairs, or their respective designees, who shall serve ex officio; two members of the Senate, no more than one of whom shall be from the same political party; two members of the General Assembly, no more than one of whom shall be from the same political party; eight members of recognized veterans groups in this State, to be appointed by the Adjutant General with the approval of the Governor; and one public member who is a resident of this State, to be appointed by the Adjutant General with the approval of the Governor. In appointing members of veterans groups to serve on the committee, the Adjutant General shall give a preference to Korean War veterans.

The committee shall:

- 1) select a suitable location for the construction of a Korean Veterans' Memorial;
- 2) determine the appropriate methods of financing the construction and maintenance of the memorial; and
- 3) develop and administer a competition for the design of the memorial.

The Korean Veterans' Memorial Fund shall receive all moneys donated or appropriated by law for the purposes of this act. The committee may initiate fund-raising measures and may receive monetary donations for the memorial. All moneys received by the committee shall be deposited into the fund.

The bill also provides immunity to committee members for liability for damages resulting from the exercise of their judgement or discretion in connection with the duties of the office, unless the actions evidence a reckless disregard for the rules imposed by the position.

The bill appropriates \$25,000 from the General Fund to the committee for its purposes.

SENATE SENIOR CITIZENS, VETERANS AFFAIRS AND  
AGRICULTURE COMMITTEE

STATEMENT TO

**SENATE, No. 198**

with committee amendments

**STATE OF NEW JERSEY**

DATED: JANUARY 18, 1996

The Senate Senior Citizens, Veterans Affairs and Agriculture Committee reports favorably and with committee amendments Senate, No. 198.

This bill establishes a Korean Veterans' Memorial Committee in the Department of Military and Veterans' Affairs and creates a Korean Veterans' Memorial Fund in the Department of the Treasury.

The committee will consist of 15 members: the Secretary of State and the Adjutant General of the Department of Military and Veterans' Affairs, or their respective designees, who shall serve *ex officio*; two members of the Senate, no more than one of whom shall be from the same political party; two members of the General Assembly, no more than one of whom shall be from the same political party; eight members of recognized veterans groups in this State, to be appointed by the Adjutant General with the approval of the Governor; and one public member who is a resident of this State, to be appointed by the Adjutant General with the approval of the Governor.

The committee shall:

- 1) select a suitable location for the construction of a Korean Veterans' Memorial;
- 2) determine the appropriate methods of financing the construction and maintenance of the memorial; and
- 3) develop and administer a competition for the design of the memorial.

The Korean Veterans' Memorial Fund shall receive all moneys donated or appropriated by law for the purposes of this act. The committee may initiate fund-raising measures and may receive monetary donations for the memorial. All moneys received by the committee shall be deposited into the fund.

The bill also provides immunity to committee members for liability for damages resulting from the exercise of their judgement or discretion in connection with the duties of the office, unless the actions evidence a reckless disregard for the rules imposed by the position.

The bill appropriates \$25,000 from the General Fund to the

committee for its purposes.

This bill was pre-filed for introduction in the 1996 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

COMMITTEE AMENDMENT:

The committee amended the bill to provide that in appointing members of veterans organizations to the committee, the Adjutant General shall give preference to Korean War veterans rather than only to members of Korean War veterans organizations.

974.901  
G61.



## OFFICE OF THE GOVERNOR NEWS RELEASE

**CN-001**      **BECKY TAYLOR**  
**CONTACT:**   **JAYNE REBOVICH**  
                    **609-777-2600**

**TRENTON, NJ 08625**  
**RELEASE: MONDAY**  
                    **July 22, 1996**

Governor Christie Whitman today signed legislation establishing the Korean Veterans' Memorial Committee to acknowledge and recognize Korean War veterans during their lifetimes.

"Korean War veterans are to be commended for their bravery in combat and their service to our country," said Governor Whitman. "The Korean Veterans' Memorial Committee will ensure that veterans will always be recognized and remembered for their dedication and commitment."

**S-198/A-854**, sponsored by Senators Robert Singer (R-Burlington/Monmouth/Ocean) and Louis Kosco (R-Bergen) and Assemblymen Melvin Cottrell (R-Burlington/Monmouth/Ocean) and Joseph Malone (R-Burlington/Monmouth/Ocean), provides that preference be given to Korean War veterans rather than only to members of Korean War Veterans' organizations when appointments to the committee are being made.

The Korean War Veterans' Memorial Committee, housed in the Department of Military and Veterans' Affairs, will be charged with selecting a memorial site, and raising funds to finance the construction and maintenance of the site. The committee will also be responsible for holding a design competition to select a design for the memorial.

The legislation also establishes the Korean Veterans' Memorial Fund to cover administrative costs for operations and support costs for fundraising initiatives that the committee undertakes. The bill appropriates \$25,000 from the General Fund to the committee for its purposes.