

[First Reprint]
ASSEMBLY, No. 854

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen COTTRELL, MALONE and Asselta

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 ¹[11] 15¹ members as follows: the Secretary of State
21 and the Adjutant General of the Department of Military and Veterans'
22 Affairs, or their respective designees, who shall serve ex officio; two
23 members of the Senate to be appointed by the President thereof, no
24 more than one of whom shall be from the same political party; two
25 members of the General Assembly to be appointed by the Speaker
26 thereof, no more than one of whom shall be from the same political
27 party; ¹[four] eight¹ members of recognized veterans groups in this
28 State, to be appointed by the Adjutant General with the approval of
29 the Governor; and one public member who is a resident of this State,
30 to be appointed by the Adjutant General with the approval of the
31 Governor. ¹In selecting members of recognized veterans groups to

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:

¹ Assembly ACV committee amendments adopted June 3, 1996.

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

7
8 3. The committee shall select a suitable location for the
9 construction of a Korean Veterans' Memorial honoring the New Jersey
10 veterans of the Korean conflict, shall determine the appropriate
11 method of financing the construction and maintenance of the
12 memorial, and shall develop and administer a competition for the
13 design of the memorial. The committee may initiate fund-raising
14 measures and may receive monetary donations for the memorial. Any
15 moneys received for these purposes by the committee shall be
16 deposited into the fund created under section 4 of this act. Not later
17 than six months after the effective date of this act, the committee shall
18 report its findings and recommendations to the Legislature.

19
20 4. There is created in the Department of the Treasury, a fund to be
21 known as the Korean Veterans' Memorial Fund. The fund shall be
22 credited with any moneys received by the Korean Veterans' Memorial
23 Committee as donations under section 3 of this act, any moneys that
24 may thereafter be donated by members of the public, the money
25 appropriated to the fund under section 6 of this act and any other
26 moneys appropriated to the fund by law. All interest on moneys in the
27 fund shall be credited to the fund. The moneys in the fund shall be
28 administered by the State Treasurer, to be held thereby in the fund
29 until appropriated by law. Not later than six months after the effective
30 date of this act, and periodically thereafter, the State Treasurer shall
31 certify to the Legislature the total amount of moneys in the fund.

32
33 5. a. No person serving as a member of the Korean Veterans'
34 Memorial Committee established pursuant to section 2 of this act shall
35 be liable for damages resulting from the exercise of judgement or
36 discretion in connection with the duties of that person's office unless
37 the actions evidence a reckless disregard for the duties imposed by the
38 position.

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

45 Nothing in this subsection shall be deemed to grant immunity to any
46 person causing damage by that person's willful, wanton or grossly

1 negligent act of commission or omission.

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

5

6 6. There is appropriated from the General Fund to the committee
7 ¹~~[\$50,000]~~ \$25,000¹ for the purposes stated in section 3 of this act.

8

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

12

13

14

15

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