

P.L. 1997, CHAPTER 50, *approved March 27, 1997*
Assembly, No. 2337

1 **AN ACT** concerning the New Jersey Railroad and Transportation
2 Museum Commission and amending P.L.1993, c.209.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 1 of P.L.1993, c.209 (C.52:16A-43) is amended to read
8 as follows:

9 1. The Legislature finds and declares that:

10 a. The New Jersey Railroad and Transportation Museum Study
11 Commission was created under P.L.1987, c.41, continued under
12 P.L.1988, c.5, and reconstituted under P.L.1990, c.58, for the purpose
13 of investigating the feasibility of establishing a railroad and
14 transportation museum in New Jersey; including in its study such
15 issues as the possible location of the museum, the costs associated
16 with the creation and operation of the museum, and the potential
17 sources and types of financial support required for the museum;

18 b. In its Interim Report, published in February 1988, the study
19 commission documented the public interest in, the historical need for,
20 and the financial viability of, a railroad and transportation museum in
21 this State;

22 c. Since then, the study commission has devoted many hours to
23 meetings, on-site inspections, public hearings, research and planning,
24 to ensure that the State's railroad and transportation heritage will be
25 preserved in a well-planned, financially sound manner, and that there
26 will be enthusiastic public support for the museum;

27 d. The continuity of this planning process must extend beyond the
28 September 30, 1991 expiration date of the legislation authorizing the
29 study commission, if the museum is to succeed, and the extensive
30 preparatory work of the study commission, a major contribution to the
31 museum project, should be expanded upon, so as not to lose the
32 momentum of public interest in the project, and to take advantage of
33 the opportunities now available to obtain equipment, artifacts and
34 other memorabilia, railroad rights-of-way and other real properties,

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.

1 and the sources of funding for the project;

2 e. Therefore, it is only appropriate that the Legislature create a
3 new long-term commission, to continue the work of the study
4 commission, and to take further preparatory actions toward creation
5 of the museum. At this time the Department of [State] Transportation
6 is deemed the appropriate authority to establish the museum, pending
7 any final decision made in the future, and for this reason the
8 Department of [State] Transportation is authorized to receive funds
9 for the proposed museum and to take other appropriate preparatory
10 and transitional action.

11 (cf: P.L.1993, c.209, s.1)

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13 2. Section 2 of P.L.1993, c.209 (C.52:16A-44) is amended to read
14 as follows:

15 2. There is created, in but not of the Department of [State]
16 Transportation, a commission to be known as the New Jersey Railroad
17 and Transportation Museum Commission, with a membership of 16.
18 The commission shall consist of:

19 a. Two members of the Senate, to be appointed by the President
20 thereof, who shall not be of the same political party, and two members
21 of the General Assembly, to be appointed by the Speaker thereof, who
22 shall not be of the same political party. A legislative member shall
23 serve only as long as he or she is a member of the House which made
24 the original appointment.

25 b. The Commissioner of Transportation, or his designee, the
26 Commissioner of Commerce and Economic Development, or his
27 designee, the Commissioner of Environmental Protection [and
28 Energy], or his designee, the Secretary of State, or his designee, the
29 State Treasurer, or his designee, and the Executive Director of the
30 New Jersey Transit Corporation or his designee.

31 c. Six public members, to be appointed by the Governor, with the
32 advice and consent of the Senate, one of whom shall be chosen from
33 the United Railroad Historical Society, one of whom shall be chosen
34 from the Friends of the New Jersey Railroad and Transportation
35 Museum, and the rest of whom shall be chosen from among persons
36 who are affiliated with railroad or transportation historical
37 preservation, exhibition or tourism organizations in New Jersey, or
38 from among persons who have knowledge of, individual experience
39 with, or demonstrated interest in, New Jersey railroad or
40 transportation history, preservation, exhibition or tourism. If a public
41 member is chosen from the United Railroad Historical Society, the
42 Friends of the New Jersey Railroad and Transportation Museum, or a
43 railroad or transportation historical preservation, exhibition or tourism
44 organization, the public member shall have the power to appoint a
45 designee from the membership of the organization. If one of these
46 organizations goes out of existence, the position on the commission

1 shall be considered vacant, and the position may be filled, for the
2 unexpired term only, from among persons who are affiliated with other
3 railroad or transportation historical preservation, exhibition or tourism
4 organizations in New Jersey, or from among persons who have
5 knowledge of, individual experience with, or demonstrated interest in,
6 New Jersey railroad or transportation history, preservation, exhibition
7 or tourism. The public members shall have terms of three years, and
8 shall be eligible for reappointment to the commission; except that, of
9 those first appointed, two of the public members shall have terms of
10 three years, two shall have terms of two years and two shall have
11 terms of one year, and all of the members first appointed shall be
12 eligible for reappointment.

13 All appointments shall be made within 60 days of the effective date
14 of this act. For purposes of continuity, and to the extent practicable
15 and feasible, the first appointments to the commission shall include the
16 legislative, ex officio, and public members of the New Jersey Railroad
17 and Transportation Museum Study Commission last serving on that
18 study commission; except that a member of the study commission shall
19 have the right to decline appointment to the new commission.
20 Vacancies in the membership of the commission shall be filled, for the
21 unexpired term only, in the manner described in subsections a. through
22 c. of this section, and within 60 days of the vacancy. Members of the
23 commission shall serve without compensation for performing their
24 duties as members, but the commission may, within the limits of funds
25 appropriated or otherwise made available therefor, reimburse members
26 for the actual expenses necessarily incurred in the performance of their
27 duties.

28 (cf: P.L.1993, c.209, s.2)

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30 3. Section 4 of P.L.1993, c.209 (C.52:16A-46) is amended to read
31 as follows:

32 4. The commission may:

33 a. Make recommendations to the Governor, the Legislature and the
34 Department of [State] Transportation concerning the general nature
35 and scope of a transportation and railroad museum, including the
36 presentation and examination of various alternative sites for the
37 museum. The commission shall make no recommendations or
38 decisions concerning a choice of a preliminary or final site for the
39 museum unless it has developed a master plan therefor, provided,
40 however, that the Legislature has by law authorized the development
41 of such a plan;

42 b. Make recommendations to the Governor, the Legislature and the
43 Department of [State] Transportation concerning the selection of
44 architectural and interior design plans for the railroad and
45 transportation museum;

46 c. Make recommendations to the Governor, the Legislature and the

1 Department of [State] Transportation concerning the selection,
2 acquisition, movement, storage and security of railroad and
3 transportation related equipment, memorabilia, books, papers, and
4 other documents;

5 d. Raise funds, through direct solicitation or other fund raising
6 events, alone, or in conjunction with nonprofit railroad or
7 transportation groups in this State, and accept gifts, donations, devises
8 and bequests, for the purposes of a State railroad and transportation
9 museum and to defray the administrative expenses of the commission;

10 e. Work with various nonprofit railroad and transportation groups
11 around the State, for purposes of obtaining funding and enhancing
12 public interest in the museum project;

13 f. Continue any studies or projects begun by the New Jersey
14 Railroad and Transportation Museum Study Commission, and prepare
15 any new studies or projects related to the creation and development of
16 a railroad and transportation museum in this State.

17 (cf: P.L.1993, c.209, s.4)

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19 4. Section 6 of P.L.1993, c.209 (C.52:16A-48) is amended to read
20 as follows:

21 6. The commission may meet and hold hearings at any place or
22 places as it shall designate during the sessions or recesses of the
23 Legislature. The commission shall report a summary of its activities
24 and its findings, conclusions and recommendations to the Governor,
25 the Legislature, and the Department of [State] Transportation on an
26 annual basis, not later than March 1 of each year of the commission's
27 life, accompanying them with any legislative bills which it may desire
28 to recommend for adoption by the Legislature.

29 (cf: P.L.1993, c.209, s.6)

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31 5. Section 8 of P.L.1993, c.209 (C.52:16A-50) is amended to read
32 as follows:

33 8. The Department of [State] Transportation is authorized to
34 acquire, through purchase, transfer, condemnation, devise, bequest,
35 donation, gift or otherwise, in the name of the State, for purposes of
36 a State railroad and transportation museum, and subject to the
37 availability of appropriations or other funds as may be necessary
38 therefor, any real property, including, but not limited to land,
39 buildings, improvements, and railroad rights-of-way. The department
40 may use moneys from the Railroad and Transportation Museum Fund
41 to effectuate its responsibilities under this section. Additionally, the
42 Department of [State] Transportation is authorized to acquire, through
43 purchase, transfer, devise, donation, gift or otherwise, railroad and
44 transportation related equipment, memorabilia, books, papers, and
45 other documents. The Department of [State] Transportation also is
46 authorized to provide for the selecting, moving, securing and storage

1 of any such acquisitions by the New Jersey Transit Corporation or by
2 any department or agency which the Department of [State]
3 Transportation shall deem appropriate.

4 (cf: P.L.1993, c.209, s.8)

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6 6. Section 9 of P.L.1993, c.209 (C.52:16A-51) is amended to read
7 as follows:

8 9. There is established in the Department of [State] Transportation
9 a fund to be known as the "Railroad and Transportation Museum
10 Fund." The fund shall be credited with moneys received under
11 subsection d. of section 4 of this act, and with any other moneys and
12 appropriations obtained by the department for railroad and
13 transportation museum purposes. All interest earned on the
14 investment moneys in the fund shall be credited to the fund.
15 Appropriations of moneys made by the Legislature to the commission
16 or otherwise received by the commission for its administrative
17 purposes shall be credited to the fund established under section 7 of
18 this act until the expiration date of the commission under section 13
19 of this act. The moneys in the fund established by this section shall be
20 administered by the [Secretary of State] Commissioner of
21 Transportation, to be held thereby in the fund until appropriated by
22 law. Moneys from the fund shall be used only for the purposes of a
23 State railroad and transportation museum, including, but not limited
24 to, the costs related to the establishment of the museum; the
25 acquisition of a site for the museum; the selection and preparation of
26 the architectural and interior design plans for the museum; and the
27 acquisition, storage and security for railroad and transportation related
28 equipment, memorabilia, books, papers and other documents for the
29 museum. Not later than one year after the effective date of this act,
30 and quarterly thereafter, the [Secretary of State] Commissioner of
31 Transportation shall certify to the Legislature, the Department of the
32 Treasury, and the commission until the date of its expiration under
33 section 13 of this act, the total amount of moneys in the fund.

34 Moneys received by the fund to be used for an expressly specified
35 purpose, such as, but not limited to, moneys expressly donated for the
36 purchase of a certain type of railroad or transportation equipment for
37 the railroad and transportation museum, shall be held in a restricted
38 account within the fund. Interest earned on investment moneys in each
39 restricted account shall be credited to the fund. The moneys in the
40 fund shall be invested and reinvested in the same manner that trust
41 funds in the custody of the State Treasurer are invested and
42 reinvested.

43 (cf: P.L.1993, c.209, s.9)

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45 7. This act shall take effect immediately.

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STATEMENT

This bill would amend the law which established the New Jersey Railroad and Transportation Museum Commission (the commission) to reallocate the commission from the Department of State to the Department of Transportation, which would allow the commission to call upon the expertise and special facilities of the Department of Transportation more easily.

Allocates NJ Railroad and Transportation Museum Commission to DOT.