

CHAPTER 45

AN ACT authorizing the U.S.S. New Jersey Battleship Commission to establish the Foundation for the U.S.S. New Jersey Battleship, increasing the membership of the commission, and amending and supplementing P.L.1979, c.440.

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

C.13:15A-10 Foundation for the U.S.S. New Jersey Battleship, established.

1. The U.S.S. New Jersey Battleship Commission is authorized to establish a nonprofit, educational and charitable organization to be known as the Foundation for the U.S.S. New Jersey Battleship, hereinafter referred to as "the foundation." The foundation shall be devoted to the sponsoring of activities and the raising of funds for the support and promotion of the commission and its several purposes. The foundation shall be incorporated, organized and operated in such manner as to be eligible under applicable federal law for tax-exempt status and for the receipt of tax-deductible contributions.

C.13:15A-11 Board of directors.

2. The foundation shall be governed by a board of directors. No more than nine such directors shall also serve as members of the U.S.S. New Jersey Battleship Commission, and of those directors serving on both, at least three directors may also be officers of the foundation. Up to six members of the foundation may also be appointed as members of the commission because of their fundraising ability and other activities on behalf of the foundation. The number of all other directors and their terms and manner of selection shall be determined upon the incorporation of the foundation.

C.13:15A-12 Professional, administrative personnel, services.

3. The foundation's board of directors shall be authorized, within the limits of its own funds, to employ an executive director and professional, technical and administrative personnel. Employees of the foundation shall not be construed to be employees of the State of New Jersey. The board shall also be authorized to contract for such professional and administrative services as it shall deem necessary.

C.13:15A-13 Bylaws adopted.

4. Upon the incorporation of the foundation and the establishment of the first board of directors, the board shall adopt bylaws setting forth the structure, offices, powers and duties of the foundation.

C.13:15A-14 Use of funds.

5. All funds received by the foundation, other than those necessary to pay the expenses of the foundation, shall be used exclusively for the support and promotion of the U.S.S. New Jersey Battleship Commission.

6. Section 3 of P.L.1979, c.440 (C.13:15A-3) is amended to read as follows:

C.13:15A-3 U.S.S. Battleship Commission; members.

3. a. There is hereby established in the Department of Environmental Protection a U.S.S. New Jersey Battleship Commission consisting of 22 members as follows:

(1) The State Treasurer, the Commissioner of Environmental Protection, and the Commissioner of Transportation, ex officio, or their designees;

(2) Nineteen citizens of the State to be appointed by the Governor with the advice and consent of the Senate.

b. The Governor shall designate five of the initial 13 citizen members to serve for terms of one year, five to serve for three years, and three to serve for five years. Of the six citizen members initially appointed pursuant to P.L.1997, c.45, two shall serve terms which expire on October 6, 2000, two shall serve terms which expire on October 6, 2001 and two shall serve terms which expire on October 6, 2003. The terms of all members thereafter appointed, except those appointed to fill unexpired terms, shall run for 5 years from the date of expiration of the terms of their predecessors. Members may be appointed to succeed themselves.

c. A vacancy in the membership of the commission occurring otherwise than by expiration of term shall be filled in the same manner as the original appointment, but for the unexpired term only.

d. Members of the commission shall not receive compensation for their services as members but shall be entitled to reimbursement by the commission for expenses necessarily incurred in the performance of their duties.

e. A member of the commission may be removed from office by the Governor for cause after a public hearing.

f. As soon as may be after the appointment of its members the commission shall meet and organize by the election of a chairman and vice chairman and shall elect such other officers as it shall determine, all from among its membership.

7. This act shall take effect immediately.

Approved March 27, 1997.