

[Third Reprint]

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 5075

STATE OF NEW JERSEY
219th LEGISLATURE

ADOPTED FEBRUARY 24, 2021

Sponsored by:

Assemblyman JOHN J. BURZICHELLI

District 3 (Cumberland, Gloucester and Salem)

Assemblyman RONALD S. DANCER

District 12 (Burlington, Middlesex, Monmouth and Ocean)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Senator STEPHEN M. SWEENEY

District 3 (Cumberland, Gloucester and Salem)

Senator ANTHONY M. BUCCO

District 25 (Morris and Somerset)

Co-Sponsored by:

**Assemblyman Clifton, Assemblywoman Downey, Assemblyman
Houghtaling, Senator Madden, Assemblywomen DiMaso and Swain**

SYNOPSIS

Removes Fire Museum and Fallen Firefighters Memorial from auspices of DEP and establishes museum as independent organization; makes \$200,000 supplemental appropriation.

CURRENT VERSION OF TEXT

As amended on January 10, 2022 by the General Assembly pursuant to the Governor's recommendations.

(Sponsorship Updated As Of: 12/20/2021)

1 AN ACT concerning firefighters, supplementing Title 28 of the
2 Revised '1[Statues] Statutes¹, '1[amending] repealing¹ P.L.1991,
3 c.215, 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. (New section) a. The New Jersey '1[Fire Engine and
9 Equipment Museum] Fire Museum and Fallen Firefighters
10 Memorial¹ is hereby removed from the auspices of the Department
11 of Environmental Protection and reorganized and established as an
12 independent, non-profit organization, which shall oversee the
13 permanent fire museum and fallen firefighter memorial to honor
14 New Jersey's proud history of firefighting service and the brave
15 men and women who have sacrificed their lives in the fire service.
16 'The museum collection donated by Ernest Day shall be transferred
17 from the Department of Environmental Protection and placed in the
18 custody of the New Jersey Fire Museum and Fallen Firefighters
19 Memorial.¹

20 b. The New Jersey '1[Fire Engine and Equipment Museum]
21 Fire Museum and Fallen Firefighters Memorial¹ shall be governed
22 by a board of directors ²[who shall consist 'of¹ the following
23 members:

24 (1) the Secretary of State or a designee, who shall serve ex-
25 officio;

26 (2) the Director of the Division of Fire Safety or a designee,
27 who shall serve ex-officio;

28 (3) the Executive Director of the New Jersey Historical
29 Commission within the Department of State or a designee, who
30 shall serve ex-officio;

31 (4) one public member appointed by the President of the Senate,
32 and one public member appointed by the Speaker of the General
33 Assembly ¹, both of whom shall have knowledge and experience in
34 fire service¹;

35 (5) one public member ¹with knowledge and experience in fire
36 service¹ appointed by the Governor; and

37 (6) the membership of the board of directors of the New Jersey
38 Fire Museum and Fallen '1[Firefighter] Firefighters¹ Memorial who
39 served on the board prior to the effective date of P.L. , c. (C.)
40 (pending before the Legislature as this bill).

41 c. The board may, upon unanimous vote of the existing board
42 members, appoint additional board members who shall be voting
43 members.

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly floor amendments adopted March 1, 2021.

²Senate SBA committee amendments adopted June 21, 2021.

³Assembly amendments adopted in accordance with Governor's recommendations January 10, 2022.

1 d. Appointments to the board of directors pursuant to
2 subsection b. of this section shall be made within 90 days of the
3 effective date of this act. Each appointed member shall serve for a
4 term of three years. Vacancies in the membership of the board shall
5 be filled in the same manner as the original appointments were
6 made.

7 Members of the board shall serve without compensation, but
8 shall be reimbursed for the necessary expenses incurred in the
9 performance of their duties within the limits of the funds made
10 available to the board for its purposes.

11 ¹~~['d.] e.~~¹ The board ²~~which~~² shall organize within 30 days after
12 the appointment of its members. The board shall select a
13 chairperson from among the members. The board shall meet at the
14 call of the chairperson at the times and places it may deem
15 appropriate and necessary to fulfill its duties, except that the board
16 shall meet a minimum of four times per year. A majority of the
17 members shall constitute a quorum for the purpose of conducting
18 business.

19 ¹~~['e.]~~ ²~~['f.]~~ ¹~~c.~~² The board shall appoint an executive director
20 ¹~~['.]~~¹ who ¹~~shall be compensated within the limits of the funds~~
21 ~~made available by the board for that purpose. The executive~~
22 ~~director~~¹ shall serve at ¹~~['its] the~~¹ pleasure ¹~~of the board~~¹ and shall
23 be a person qualified by training and experience to perform the
24 duties of the office.

25

26 2. (New section) a. The board of directors for the nonprofit New
27 Jersey ¹~~['Fire Engine and Equipment Museum]~~ Fire Museum and
28 Fallen Firefighters Memorial¹ reorganized and established pursuant to
29 section 1 of P.L. , c. (C.) (pending before the Legislature as
30 this bill) shall have the ³~~['following responsibilities and duties:~~

31 (1) ³~~power~~³ to make, amend, and repeal rules and bylaws for its
32 own governance and guidance ³~~, for the administration of the museum~~
33 ~~and its collections, and in furtherance of the purposes set forth in~~
34 ~~section 1 of P.L. , c. (C.) (pending before the Legislature as~~
35 ~~this bill) that are~~³ not inconsistent with State and federal law ³~~[';].~~³

36 ³~~['(2)~~ to maintain an office within the State as it may
37 designate;

38 (3) to contract for, accept, solicit, or collect any grants, loans,
39 funds, property, or other aid in any form from the federal government
40 or any agency or instrumentality thereof; from the State or any agency,
41 instrumentality, or political subdivision thereof; or from any other
42 public source;

43 (4) to make and enter into contracts, leases, agreements, and
44 purchases necessary for the use, or incidental to the performance of,
45 the board's duties and the exercise of its powers pursuant to P.L. , c.
46 (C.) (pending before the Legislature as this bill);

1 (5) to insure against any losses in connection with the board's
2 properties, operations, or assets;
3 (6) to formulate and adopt rules and regulations for the efficient
4 conduct of the work and general administration of the board, its
5 officers, and employees;
6 (7) to institute or cause to be instituted any legal proceedings or
7 processes as may be necessary to properly enforce and give effect to
8 any of the powers or duties of the executive director or the board;
9 (8) to develop an economic development master plan identifying
10 the board's objectives, policies, and programs which will encourage
11 the museum's attraction, expansion, and retention;
12 (9) to support and maintain existing museum facilities and services
13 for the educational or recreational use and benefit of the public;
14 (10) to maintain exhibits and displays to promote and develop
15 public interest and understanding of firefighter history;
16 (11) to develop, raise funds for, build and operate a fire museum,
17 fire safety education center, and fallen firefighters memorial, and to
18 provide for the display of fire apparatus and equipment, along with the
19 history and documentation available for preservation;
20 (12) to determine the best course of action regarding museum
21 collections both owned by and lent to the museum including, but not
22 limited to, continuing any current ownership agreements or
23 memorandums of understanding entered into by the board prior to the
24 effective date of P.L. , c. (C) (pending before the Legislature
25 as this bill);
26 (13) to oversee museum facility expansion, development, and
27 strategic planning;
28 (14) to address marketing, budget, and fundraising issues;
29 (15) to conduct educational and recreational programs held at the
30 museum facilities;
31 (16) to make plans and preparations for preservation and
32 restoration of museum collection pieces; and
33 (17) to partner with affiliate organizations to borrow and lend
34 temporary or permanent museum collections and to raise funds with
35 these affiliate organizations, which may include, but not be limited to,
36 other museums and similar educational or research facilities.
37 b. The board of directors may be dissolved upon a majority vote
38 of the board members. Upon dissolution of the board, any collections
39 that were donated to the museum prior to or following the effective
40 date of P.L. , c. (C.) (pending before the Legislature as this
41 bill) shall be returned to the original donors in accordance with
42 existing ownership agreements or memorandums of understanding.
43 Museum collections that were otherwise acquired or purchased as
44 State property shall be placed in the custody of the Executive Director
45 of the New Jersey Historical Commission in the Department of State
46 upon dissolution of the board. The executive director shall determine
47 the appropriate course of action in housing or maintaining the
48 collection.】³

1 3. (New section) There is appropriated from the General Fund
2 \$200,000 to the board of the New Jersey ¹【Fire Engine and
3 Equipment Museum】 Fire Museum and Fallen Firefighters
4 Memorial¹ to effectuate the purposes of
5 P.L. , c. (pending before the Legislature as this bill).
6

7 ¹【4. Section 1 of P.L.1991, c.215 (C.28:2-26) is amended to
8 read as follows:

9 1. The New Jersey Fire Engine and Equipment Museum 【, to
10 be constructed at Allaire pursuant to P.L.1987, c.437 , under the
11 auspices of the Department of Environmental Protection,】 is
12 designated the John P. Caufield Memorial Fire Engine and
13 Equipment Museum.

14 This designation shall be displayed prominently at or near the
15 entrance to the museum.

16 (cf: P.L.1991, c.215, s.1)】¹
17

18 ¹4. Section 1 of P.L.1991, c.215 (C.28:2-26) is repealed.¹
19

20 5. This act shall take effect immediately.