

CHAPTER 85

AN ACT establishing the Ellis Island Advisory Commission and supplementing Title 52 of the Revised Statutes.

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

C.52:16A-99 Findings, declarations relative to Ellis Island.

1. The Legislature finds and declares that:

a. Ellis Island occupies a significant and unique place in America's heritage; it was the primary United States immigration station from 1892 to 1954 when more than 12 million people passed through the station complex - the greatest surge of migration in America's history; and today, 40% of Americans can trace their family history from Ellis Island, which was added to the national park system in 1965 and placed under the operational supervision of the National Park Service as a part of the Statue of Liberty National Monument in recognition of its importance in American history, architecture, and culture.

b. The closure of Ellis Island in 1954 resulted in its abandonment and decay; in 1990, following extensive rehabilitation, the Main Building reopened as an immigration museum and several buildings have been rehabilitated as administrative offices; and the National Park Service is working with Save Ellis Island, Inc. as the non-profit partner for implementation of the Ellis Island Institute and conference center, which is the preferred re-use for the remaining unused buildings on Ellis Island.

c. The Ellis Island Institute would be the primary use and would include cultural, interpretive and educational programs and activities with a policy research center and administrative and study space; and the associated conference center would host meetings, retreats and workshops that primarily focus on immigration, world migration, public health, cultural and ethnic diversity, and family history.

d. On May 26, 1998 the Supreme Court of the United States recognized and acknowledged New Jersey's sovereignty and governmental control over a substantial portion of Ellis Island, as defined in the Court's opinion; in December 1999 the Governor's Advisory Committee on the Preservation and Use of Ellis Island issued its final report and recommendations; and in 2000 Save Ellis Island, Inc. was created in response to the Governor's advisory committee.

e. It is desirable to create a State-level commission, which as an organized body, on a continuous basis, will: promote the interests of the State of New Jersey and provide assistance and advice to Save Ellis Island, Inc., its successors and other interested parties concerning the proposed Ellis Island Institute and its associated conference center; promote the proposed Ellis Island Institute and its associated conference center regionally and nationally as an important cultural and private-public initiative and destination venue; provide recognition for the accomplishments of the State of New Jersey in the rehabilitation, reuse and protection of cultural and historic resources on Ellis Island; and prepare reports to the Governor and the Legislature regarding its findings and recommendations.

C.52:16A-100 Ellis Island Advisory Commission.

2. a. The Ellis Island Advisory Commission is hereby created and established in the Executive Branch of the State Government. For the purposes of complying with the provisions of Article V, Section IV, paragraph 1, of the New Jersey Constitution, the commission is allocated within the Department of State.

The commission shall consist of 20 voting members, as follows:

(1) a representative of the Governor's office, the Secretary of State or a designee, the State Treasurer or a designee, the Attorney General or a designee, the Commissioner of Environmental Protection or a designee, the Commissioner of Education or a designee, the Executive Director of the New Jersey Commerce Commission or a designee, the Commissioner of Health and Senior Services or a designee, the Commissioner of Transportation or a designee, the New Jersey State representative of the National Trust for Historic Preservation or a designee, and the President of Save Ellis Island, Inc. or a designee, each serving ex officio;

(2) four members of the Legislature, of whom one shall be appointed by the Senate President, one by the Senate Minority Leader, one by the Speaker of the General Assembly and one by the Minority Leader of the General Assembly. Legislators appointed to the commission shall serve as members thereof for terms co-extensive with their respective terms as members of the Houses of the Legislature from which they were appointed; and

(3) five members shall be appointed by the Governor, with the advice and consent of the Senate, of whom one shall be a representative of Rutgers, the State University of New Jersey, chosen with expertise in immigration issues, and one shall be a representative of the University of Medicine and Dentistry of New Jersey, chosen with expertise in public health issues, and three shall be members of the public, chosen with due regard for their knowledge of the role of Ellis Island in American history, including one member with expertise in the hospitality industry and one member with expertise in the development industry. No public members shall hold elective office.

b. Each public member of the commission shall serve for a term of three years, except that of the initial members so appointed: one member shall serve for one year, two members shall serve for two years, and two members shall serve for three years. Public members shall be eligible for reappointment. They shall serve until their successors are appointed and qualified, and the term of any successor of any incumbent shall be calculated from the expiration of the term of that incumbent. A vacancy occurring other than by expiration of the term shall be filled in the same manner as the original appointment but for the unexpired term only. Public members may be removed by the Governor for cause.

c. The members of the commission shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties subject to the availability of funds.

d. The Secretary of State, or a designee, shall serve as chair, and the members of the commission shall elect annually one of the public members to serve as vice-chair. The chair may appoint a secretary, who need not be a member of the commission. The presence of a majority of the full membership of the commission shall be required for the conduct of official business.

e. The commission shall meet at the call of the chair. The commission shall hold at least two meetings annually which shall be held at the State capitol and at such other times and places as the commission may deem expedient, including on Ellis Island.

C.52:16A-101 Responsibilities, duties of Ellis Island Advisory Commission.

3. The Ellis Island Advisory Commission shall have the following responsibilities and duties:

a. to recommend that the proposed Ellis Island Institute and its associated conference center are aligned fully with New Jersey interests, industries and existing institutions;

b. to promote the Ellis Island Institute and its associated conference center regionally and nationally as an important cultural and private-public initiative and a destination venue;

- c. to recognize the accomplishments of the State of New Jersey in the rehabilitation, reuse and protection of cultural and historic resources on Ellis Island;
- d. to provide, based upon the collective interest of the members and the knowledge and experience of its staff, assistance and advice to Save Ellis Island, Inc., its successors and other interested parties;
- e. to cooperate with the State of New York and the City of New York, when appropriate, with respect to the rehabilitation, reuse, and protection of the Ellis Island buildings and resources;
- f. to prepare reports for the Governor and the Legislature regarding its findings and recommendations; and
- g. to receive and accept appropriations, as well as foster development of gifts and donations to minimize any fiscal impact upon the State.

C.52:16A-102 Report to Governor, Legislature.

4. The commission shall report its findings and recommendations to the Governor and to the Legislature, pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), within one year of its initial organizational meeting and by the fifteenth of February of each succeeding year for the activities of the preceding calendar year.

C.52:16A-103 Authority of commission to request information, assistance.

5. The commission is authorized to call upon any department, office, division or agency of the State, or of a political subdivision of the State, to supply such information and assistance as it deems necessary to discharge its responsibilities under this act.

6. This act shall take effect immediately.

Approved September 12, 2008.