

3B:18-23

LEGISLATIVE HISTORY CHECKLIST

NJSA: 3B:18-23 ("Fiduciary--amends definition")  
LAWS OF: 1985 CHAPTER: 434  
BILL NO: A1873  
Sponsor(s): Herman  
Date Introduced: May 7, 1984  
Committee: Assembly: Judiciary  
Senate: Judiciary  
Amended during passage: No  
Date of Passage: Assembly: November 19, 1984  
Senate: December 12, 1985  
Date of Approval: January 13, 1986  
Following statements are attached if available:  
Sponsor statement: Yes  
Committee statement: Assembly Yes  
Senate Yes (Not attached since identical to sponsor's statement).  
Fiscal Note: No  
Veto Message: No  
Message on Signing: ~~No~~ Yes  
Following were printed:  
Reports: No  
Hearings: No

ASSEMBLY, No. 1873

STATE OF NEW JERSEY

INTRODUCED MAY 7, 1984

By Assemblyman HERMAN

AN ACT concerning fiduciaries and amending N. J. S. 3B:18-23.

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

1 1. N. J. S. 3B:18-23 is amended to read as follows:

2 3B:18-23. As used in this article "fiduciary" means a trustee  
3 acting under a will, *a nontestamentary trustee as defined in N. J. S.*  
4 *3B:17-9* or a guardian.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to amend the definition of a "fiduciary" as defined in N. J. S. 3B:18-23 so that a nontestamentary trustee, whose compensation has not been fixed in the instrument creating the trust, will be entitled to be compensated for his services in the same manner as a testamentary trustee or guardian.

**Matter printed in italics thus is new matter.**

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ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1873

STATE OF NEW JERSEY

DATED: JUNE 28, 1984

The purpose of this bill is to amend the definition of a "fiduciary" as defined in N. J. S. 3B:18-23 so that a nontestamentary trustee, whose compensation has not been fixed in the instrument creating the trust, will be entitled to be compensated for his services in the same manner as a testamentary trustee or guardian.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1873**

**STATE OF NEW JERSEY**

DATED: JANUARY 28, 1985

This bill includes a nontestamentary trustee within the definition of a "fiduciary" as set forth in N. J. S. 3B:18-23. Inclusion in this definition will permit a nontestamentary trustee's compensation whose compensation has not been fixed in the instrument creating the trust to be compensated for his services in the same manner as a testamentary trustee or guardian.

A-1509, sponsored by Assemblyman Robert E. Littell, R-Sussex, which authorizes sled dog races and working dog exhibitions, sponsored by authorized organizations.

A-1873, sponsored by Assemblyman Martin A. Herman, D-Salem, which amends the definition of "fiduciary" so that nontestamentary trustees will be entitled to compensation in the same manner as testamentary trustees or guardians.

A testamentary trust is one created in a will, while a nontestamentary trust is one created while the creator is still alive.

A-1913, sponsored by Assemblyman Wayne R. Bryant, D-Camden, which amends the definition of "blighted area" within the Urban Renewal Corporation and Association Law of 1961 and the Urban Renewal Nonprofit Corporation Law of 1965 to include areas designated as Urban Enterprise Zones. The effect of the bill is to make urban renewal corporations undertaking development projects in Urban Enterprise Zones eligible for a Fox-Lance real estate tax exemption.

A-1927, sponsored by Assemblyman Harry A. McEnroe, D-Essex, which exempts the governing body of a county from the public bidding requirements of the Local Public Contracts Law when purchasing materials and services for a law library to be used by the courts in the county.

A-2140, sponsored by Assemblyman John E. Rooney, R-Bergen, which permits the Family Division of the Superior Court to order a juvenile to be examined by a speech language pathologist before being judged delinquent.

A-2175, sponsored by Assemblyman Garabed Haytaian, R-Warren, which alters, under certain circumstances, the burden of paying for the burial of an unclaimed body from the county to the surviving spouse or surviving parent.