

# 5:10-6.4

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2005 **CHAPTER:** 232

**NJSA:** 5:10-6.4 (Authorizes the establishment of a New Jersey Hall of Fame)

**BILL NO:** S2309 (Substituted for A3889)

**SPONSOR(S):** Sarlo and others

**DATE INTRODUCED:** February 3, 2005

**COMMITTEE:** **ASSEMBLY:** Tourism and Gaming

**SENATE:** Economic Growth

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:** **ASSEMBLY:** June 30, 2005

**SENATE:** May 12, 2005

**DATE OF APPROVAL:** September 22, 2005

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

[FINAL TEXT OF BILL](#) (1<sup>st</sup> reprint enacted)

### S2309

[SPONSOR'S STATEMENT:](#) (Begins on page 7 of original bill) [Yes](#)

**COMMITTEE STATEMENT:** [ASSEMBLY:](#) [Yes](#)

[SENATE:](#) [Yes](#)

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

### A3889

[SPONSOR'S STATEMENT:](#) (Begins on page 7 of original bill) [Yes](#)

**COMMITTEE STATEMENT:** [ASSEMBLY:](#) [Yes](#)

**SENATE:** No

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

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**REPORTS:**

No

**HEARINGS:**

No

**NEWSPAPER ARTICLES:**

No

IS 11/14/07

P.L. 2005, CHAPTER 232, *approved September 22, 2005*  
Senate, No. 2309 (*First Reprint*)

1 **AN ACT** authorizing the establishment of a New Jersey Hall of Fame,  
2 amending P.L.1985, c.325 <sup>1</sup>[,] and<sup>1</sup> supplementing chapter 10 of  
3 Title 5 of the Revised Statutes <sup>1</sup>[and making an appropriation]<sup>1</sup>.  
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
6 *of New Jersey:*  
7

8 1. (New section) This act shall be known and may be cited as the  
9 "New Jersey Hall of Fame Act."  
10

11 2. (New section) The Legislature finds and determines that:

12 a. New Jersey has given rise to many nationally and internationally  
13 known leaders in many diverse areas including the visual and  
14 performing arts, music, literature, science, education, sports,  
15 entertainment, business, religion, government, military and  
16 philanthropy;

17 b. While the New Jersey Sports Hall of Fame has taken the lead  
18 during the past twenty years in honoring many New Jersey athletes  
19 who have distinguished themselves in the world of sports, it is entirely  
20 fitting and proper to establish a broader-based hall of fame project that  
21 would allow the State to promote the accomplishments of such  
22 individuals who have excelled in many different fields of endeavor in  
23 addition to sports;

24 c. Other states including South Carolina and South Dakota have  
25 successfully established and operated their own hall of fame projects  
26 for over 30 years and have utilized such projects to not only improve  
27 their state's image but to also raise millions of dollars for their  
28 respective halls of fame;

29 d. It is therefore in the public interest for this State to publicly  
30 recognize the unique achievements of outstanding New Jerseyans from  
31 many diverse fields through the creation of a New Jersey Hall of Fame  
32 in order to honor outstanding persons from New Jersey for their  
33 contributions in many different fields of endeavor, and to utilize  
34 revenues obtained from the New Jersey Hall of Fame events and  
35 ceremonies to support the funding of the New Jersey Hall of Fame and  
36 to contribute to charitable organizations that directly benefit children  
37 in need in New Jersey and throughout the world.

**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:**

<sup>1</sup> Senate SEG committee amendments adopted March 7, 2005.

1       3. Section 1 of P.L.1985, c.325 (C.5:10-6.1) is amended to read as  
2 follows:

3       1. a. The New Jersey Sports and Exposition Authority created by  
4 P.L.1971, c.137 (C.5:10-1 et seq.) is authorized to establish and  
5 operate a New Jersey [Sports] Hall of Fame as part of the  
6 Meadowlands complex. With respect to this project, the authority  
7 may exercise all the rights and powers relating to the Meadowlands  
8 complex granted to the authority under P.L.1971, c.137 (C.5:10-1 et  
9 seq.) as though the rights and powers were granted under [this  
10 supplementary act] P.L.1985, c. 25 (C.5:10-6.1) and P.L. , c.   
11 (C. )(now pending before the Legislature as this bill), and made  
12 applicable to a New Jersey [Sports] Hall of Fame.

13       b. The New Jersey Sports and Exposition Authority is authorized,  
14 in its discretion, to establish a New Jersey Hall of Fame corporation,  
15 hereinafter referred to as the "hall of fame corporation," to operate  
16 and manage a New Jersey Hall of Fame project authorized by  
17 subsection a. of this section. The corporation may be established as  
18 a separate, nonprofit corporation to be incorporated as a New Jersey  
19 nonprofit corporation pursuant to P.L.1983, c.127 (C.15A:1-1 et  
20 seq.), and organized and operated in such manner as to be eligible  
21 under applicable federal law for tax-exempt status, and shall be  
22 authorized to sue and to be sued as a legal entity separate from the  
23 authority and from the State of New Jersey.

24       c. The terms of the 11 members appointed by the Governor to the  
25 board of directors of the New Jersey Sports Hall of Fame pursuant to  
26 P.L.1985, c.325 (C.5:10-6.1), shall continue after the effective date of  
27 P.L. , c. (C. )(now pending before the Legislature as this bill) and  
28 such board members serving on the effective date of P.L. , c.   
29 (C. )(now pending before the Legislature as this bill) shall serve as  
30 members of the New Jersey Hall of Fame Advisory Commission  
31 established pursuant to section 4 of P.L. , c. (C. )(now pending  
32 before the Legislature as this bill) until the expiration of their terms.  
33 (c.f. P.L.1985, c.325, s.1)

34  
35       4. (New section) a. There is established to advise the New Jersey  
36 Sports and Exposition Authority, a commission to be known as the  
37 New Jersey Hall of Fame Advisory Commission, hereafter referred to  
38 as the "commission." The commission shall consist of two ex officio  
39 members, one of whom shall be the Chairman of the New Jersey  
40 Sports and Exposition Authority and one of whom shall be the  
41 President and Chief Executive Officer of the New Jersey Sports and  
42 Exposition Authority, and 15 appointed members, eleven of whom  
43 shall be the members appointed by the Governor pursuant to P.L.1985,  
44 c.325 (C.5:10-6.1), who shall continue to serve as members of the  
45 commission until the expiration of their terms, and four of whom shall  
46 be appointed after the effective date of P.L. , c. (C. )(now

1 pending before the Legislature as this bill) as follows: one member  
2 shall be appointed for a term of two years by the Governor upon the  
3 recommendation of the New Jersey Presswriters Association, one  
4 member shall be appointed for a term of two years by the President of  
5 the Senate, one member shall be appointed for a term of two years by  
6 the Speaker of the General Assembly and one member shall be  
7 appointed for a term of two years by the authority.

8 b. After the expiration of the terms of the appointed members set  
9 forth in subsection a. of this section, the commission members shall  
10 thereafter be appointed to the commission as follows: eight members  
11 shall be appointed by the Governor with the advice and consent of the  
12 Senate, two members shall be appointed by the Governor upon the  
13 recommendation of the New Jersey Presswriters Association, two  
14 members shall be appointed by the President of the Senate, two  
15 members shall be appointed by the Speaker of the General Assembly  
16 and one member shall be appointed by the authority.

17 c. Of the ten members initially appointed by the Governor pursuant  
18 to subsection b. of this section, three shall serve terms of one year,  
19 three shall serve terms of two years, three shall serve terms of three  
20 years and one shall serve a term of four years. Of the four members  
21 initially appointed by the President of the Senate and the Speaker of  
22 the General Assembly pursuant to subsection b. of this section, each  
23 of the members shall serve terms of three years. The member initially  
24 appointed pursuant to subsection b. of this section by the authority  
25 shall serve a term of three years. The terms of all members thereafter  
26 appointed, other than ex officio members and those members  
27 appointed to fill unexpired terms, shall run for five years from the date  
28 of expiration of the terms of their predecessors.

29 d. As soon as may be practical after the appointment of the  
30 commission's members, the Governor shall appoint a chairperson and  
31 the commission shall meet and elect a vice-chairperson and such other  
32 officers as it shall determine, all from among its membership.  
33 Vacancies in the membership of the commission and in the offices of  
34 chairperson and vice-chairperson shall be filled in the manner provided  
35 for the original appointments pursuant to P.L. , c. (C. )(now  
36 pending before the Legislature as this bill).

37 e. The members to be appointed to the commission shall represent  
38 a diversity of areas consistent with the goals of the New Jersey Hall of  
39 Fame including, but not limited to, persons who are representative of  
40 the areas of the visual and performing arts, music, literature, science,  
41 education, sports, entertainment, business, religion, government,  
42 military and philanthropy, persons who are familiar with these areas as  
43 they relate directly to the State of New Jersey and everyday New  
44 Jersey residents who have contributed to making this State a great  
45 place to live and work.

1       5. (New section) It shall be the duty of the commission to develop  
2 plans for establishing and operating a New Jersey Hall of Fame and to  
3 advise the authority with respect to the operation and management of  
4 the New Jersey Hall of Fame as a project within the Meadowlands  
5 complex, giving due consideration to architectural designs,  
6 development of new structures or the adapting of existing structures  
7 within which the New Jersey Hall of Fame may be located, criteria for  
8 selection of nominees to the Hall of Fame, the annual ceremonies for  
9 the induction of nominees into the Hall of Fame and other areas the  
10 commission may deem relevant to the creation at the Meadowlands  
11 complex of a New Jersey Hall of Fame including, but not limited to,  
12 such programs and events that the Foundation for the New Jersey Hall  
13 of Fame, established pursuant to section 6 of P.L. , c. (C. )(now  
14 pending before the Legislature as this bill), may wish to consider in  
15 connection with the foundation's fund-raising activities to support the  
16 operation, maintenance, support and promotion of the New Jersey Hall  
17 of Fame and to support charitable organizations that directly benefit  
18 children in need in New Jersey and throughout the world.

19       b. The commission shall also develop policies to improve the image  
20 of New Jersey, promote the heritage of the residents of this State and  
21 instill pride in the State by increasing the public's awareness of the  
22 contributions made to society by past and present residents of New  
23 Jersey, make recommendations for local and State actions to follow up  
24 the commission's goals and consider such other matters relating to the  
25 accomplishment of its goals as the commission may deem appropriate.

26       c. The commission shall be authorized, within the limits of the funds  
27 made available to it for its purposes, to employ an executive director  
28 and professional, technical and administrative personnel and to  
29 contract for such professional and administrative services, and incur  
30 traveling and other miscellaneous expenses as it may deem necessary,  
31 in order to perform its duties. No member of the commission shall  
32 engage in any business transaction or professional activity for profit  
33 with the State of New Jersey. Employees of the commission shall not  
34 be construed to be employees of the State of New Jersey.

35       d. The commission shall be entitled to call to its assistance and  
36 avail itself of the services of the employees of any State, county or  
37 municipal department, board, bureau, commission or agency as it may  
38 require and as may be available to it for this purpose.

39       <sup>1</sup>e. The foundation is authorized to receive and administer gifts,  
40 contributions, and funds from public and private sources to be  
41 expended solely for the purposes provided in this section.<sup>1</sup>

42

43       6. (New section) a. The authority is also authorized to establish  
44 a nonprofit, educational and charitable organization to be known as  
45 the Foundation for the New Jersey Hall of Fame, hereafter referred to  
46 as the "foundation." The foundation shall be incorporated as a New

1 Jersey nonprofit corporation pursuant to P.L.1983, c.127 (C.15A:1-1  
2 et seq.), and organized and operated in such manner as to be eligible  
3 under applicable federal law for tax-exempt status and for the receipt  
4 of tax-deductible contributions, and shall be authorized to sue and to  
5 be sued as a legal entity separate from the authority and from the State  
6 of New Jersey.

7 b. The foundation shall be responsible for the planning, promoting  
8 and coordinating of fund-raising drives and the soliciting of  
9 contributions for the purposes set forth in P.L. , c. (C. )(now  
10 pending before the Legislature as this bill) and for determining how  
11 such funds and contributions shall be allocated for: (1) the support of  
12 the New Jersey Hall of Fame project including, but not limited to, the  
13 annual induction ceremonies for nominees to the New Jersey Hall of  
14 Fame and other events sponsored in connection with the New Jersey  
15 Hall of Fame project; (2) the support of charitable organizations that  
16 directly benefit children in need in New Jersey and throughout the  
17 world; (3) the administrative and other expenses of the commission  
18 and hall of fame corporation, as appropriate; and (4) other purposes  
19 of P.L. , c. (C. ) (now pending before the Legislature as this  
20 bill).

21

22 7. (New section) a. The foundation shall be governed by a board  
23 of trustees whose members shall be appointed based on their fund-  
24 raising ability and other qualifications that are consistent with the  
25 goals of the foundation. The number of members of the board of  
26 trustees, their terms and the manner of selection including, but not  
27 limited to, the naming of a chairperson shall be determined upon  
28 incorporation of the foundation.

29 b. The board of trustees shall be authorized, within the limits of its  
30 own funds, to employ an executive director and professional, technical  
31 and administrative personnel. Employees of the foundation shall not  
32 be construed to be employees of the State of New Jersey. The board  
33 shall also be authorized to contract for such professional and  
34 administrative services as it shall deem necessary.

35

36 8. (New section) Upon the incorporation of the foundation and the  
37 establishment of the first board of trustees, the board shall adopt  
38 bylaws setting forth the structure, offices, powers and duties of the  
39 foundation, based upon the following guidelines:

40 a. Members of the board of trustees of the foundation shall serve  
41 without compensation, but shall be entitled to reimbursement for  
42 necessary expenses incurred in the performance of their duties.

43 b. The chairperson may appoint such subcommittees as deemed  
44 necessary or desirable, and if a subcommittee is appointed, the  
45 members of the subcommittee shall elect one of the members to serve  
46 as chairperson and one of the members to serve as vice-chairperson of  
47 the subcommittee.

1 9. (New section) The foundation shall, in conjunction with the  
2 commission and the hall of fame corporation, as applicable, annually  
3 report its findings and recommendations to the Governor, the  
4 Legislature and the public. The report shall address the responsibilities  
5 of the foundation, commission and hall of fame corporation, as set  
6 forth in P.L. , c. (C. )(now pending before the Legislature as this  
7 bill), along with all other issues which the foundation, commission and  
8 hall of fame corporation, as applicable, find to be necessarily related.

9  
10 10. (New section) All funds received by the foundation, other than  
11 those necessary to pay the expenses of the foundation, shall be used  
12 exclusively for the establishment, support and promotion of the  
13 purposes as set forth in P.L. , c. (C. )(now pending before the  
14 Legislature as this bill).

15  
16 11. (New section) All expenses incurred by the commission, the  
17 foundation and the hall of fame corporation, as appropriate, shall be  
18 payable from funds raised by the foundation and from such other funds  
19 as may be made available to the commission, the foundation or hall of  
20 fame corporation, as the case may be, and no liability or obligation, in  
21 tort or contract, shall be incurred by the State for the operation of the  
22 commission, foundation or hall of fame corporation. The commission,  
23 foundation and hall of fame corporation shall, if necessary, obtain  
24 private counsel, and shall not be represented by the Attorney General  
25 or indemnified by the State of New Jersey.

26  
27 12. (New section) A certified public accountant shall be selected  
28 by the foundation to annually audit the foundation's funds. The  
29 foundation shall contract for and receive such audit annually, and shall  
30 submit the audit to the State Treasurer and the Director of the  
31 Division of Budget and Accounting in the Department of Treasury.

32  
33 13. (New section) Whenever, in any law, rule, regulation, order,  
34 contract, document, judicial or administrative proceeding or otherwise,  
35 reference is made to the New Jersey Sports Hall of Fame, the same  
36 shall mean and refer to the "New Jersey Hall of Fame."

37  
38 <sup>1</sup>[14. (New section) There is appropriated \$95,000 from the  
39 General Fund to the commission for the purposes of P.L. , c. (C. )  
40 (now pending before the Legislature as this bill).]<sup>1</sup>

41  
42 <sup>1</sup>[15.] 14.<sup>1</sup> This act shall take effect immediately.

43  
44 \_\_\_\_\_  
45  
46 Authorizes New Jersey Sports and Exposition Authority to establish



- 1 the New Jersey Hall of Fame within the Meadowlands complex.

# SENATE, No. 2309

## STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED FEBRUARY 3, 2005

**Sponsored by:**

**Senator PAUL SARLO**

**District 36 (Bergen, Essex and Passaic)**

**Senator JOSEPH M. KYRILLOS, JR.**

**District 13 (Middlesex and Monmouth)**

**Co-Sponsored by:**

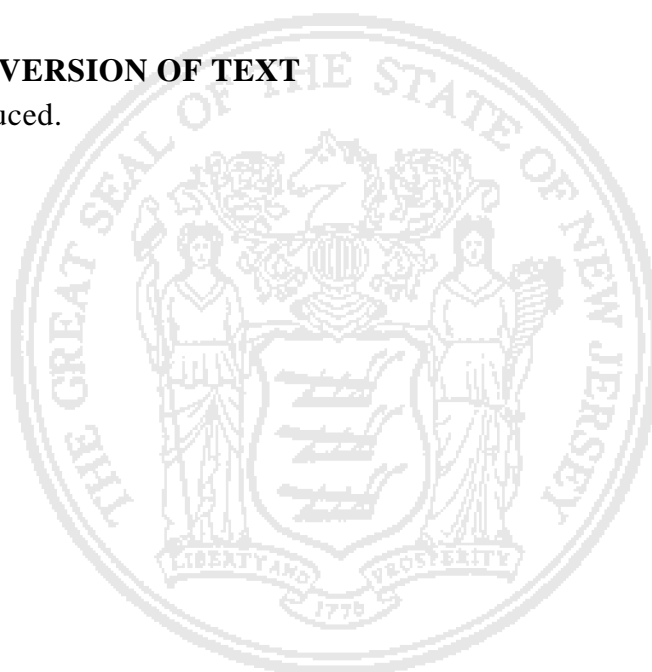
**Senator Adler**

**SYNOPSIS**

Authorizes New Jersey Sports and Exposition Authority to establish the New Jersey Hall of Fame within the Meadowlands complex; appropriates \$95,000.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/15/2005)**

S2309 SARLO, KYRILLOS

2

1 AN ACT authorizing the establishment of a New Jersey Hall of Fame,  
2 amending P.L.1985, c.325, supplementing chapter 10 of Title 5 of  
3 the Revised Statutes 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) This act shall be known and may be cited as the  
9 "New Jersey Hall of Fame Act."

10

11 2. (New section) The Legislature finds and determines that:

12 a. New Jersey has given rise to many nationally and internationally  
13 known leaders in many diverse areas including the visual and  
14 performing arts, music, literature, science, education, sports,  
15 entertainment, business, religion, government, military and  
16 philanthropy;

17 b. While the New Jersey Sports Hall of Fame has taken the lead  
18 during the past twenty years in honoring many New Jersey athletes  
19 who have distinguished themselves in the world of sports, it is entirely  
20 fitting and proper to establish a broader-based hall of fame project that  
21 would allow the State to promote the accomplishments of such  
22 individuals who have excelled in many different fields of endeavor in  
23 addition to sports;

24 c. Other states including South Carolina and South Dakota have  
25 successfully established and operated their own hall of fame projects  
26 for over 30 years and have utilized such projects to not only improve  
27 their state's image but to also raise millions of dollars for their  
28 respective halls of fame;

29 d. It is therefore in the public interest for this State to publicly  
30 recognize the unique achievements of outstanding New Jerseyans from  
31 many diverse fields through the creation of a New Jersey Hall of Fame  
32 in order to honor outstanding persons from New Jersey for their  
33 contributions in many different fields of endeavor, and to utilize  
34 revenues obtained from the New Jersey Hall of Fame events and  
35 ceremonies to support the funding of the New Jersey Hall of Fame and  
36 to contribute to charitable organizations that directly benefit children  
37 in need in New Jersey and throughout the world.

38

39 3. Section 1 of P.L.1985, c.325 (C.5:10-6.1) is amended to read as  
40 follows:

41 1. a. The New Jersey Sports and Exposition Authority created by  
42 P.L.1971, c.137 (C.5:10-1 et seq.) is authorized to establish and  
43 operate a New Jersey **[Sports]** Hall of Fame as part of the

**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.**

1 Meadowlands complex. With respect to this project, the authority  
2 may exercise all the rights and powers relating to the Meadowlands  
3 complex granted to the authority under P.L.1971, c.137 (C.5:10-1 et  
4 seq.) as though the rights and powers were granted under [this  
5 supplementary act] P.L.1985, c. 25 (C.5:10-6.1) and P.L. , c.   
6 (C. )(now pending before the Legislature as this bill), and made  
7 applicable to a New Jersey [Sports] Hall of Fame.

8 b. The New Jersey Sports and Exposition Authority is authorized,  
9 in its discretion, to establish a New Jersey Hall of Fame corporation,  
10 hereinafter referred to as the "hall of fame corporation," to operate  
11 and manage a New Jersey Hall of Fame project authorized by  
12 subsection a. of this section. The corporation may be established as  
13 a separate, nonprofit corporation to be incorporated as a New Jersey  
14 nonprofit corporation pursuant to P.L.1983, c.127 (C.15A:1-1 et  
15 seq.), and organized and operated in such manner as to be eligible  
16 under applicable federal law for tax-exempt status, and shall be  
17 authorized to sue and to be sued as a legal entity separate from the  
18 authority and from the State of New Jersey.

19 c. The terms of the 11 members appointed by the Governor to the  
20 board of directors of the New Jersey Sports Hall of Fame pursuant to  
21 P.L.1985, c.325 (C.5:10-6.1), shall continue after the effective date of  
22 P.L. , c. (C. )(now pending before the Legislature as this bill) and  
23 such board members serving on the effective date of P.L. , c.   
24 (C. )(now pending before the Legislature as this bill) shall serve as  
25 members of the New Jersey Hall of Fame Advisory Commission  
26 established pursuant to section 4 of P.L. , c. (C. )(now pending  
27 before the Legislature as this bill) until the expiration of their terms.  
28 (c.f. P.L.1985, c.325, s.1)

29  
30 4. (New section) a. There is established to advise the New Jersey  
31 Sports and Exposition Authority, a commission to be known as the  
32 New Jersey Hall of Fame Advisory Commission, hereafter referred to  
33 as the "commission." The commission shall consist of two ex officio  
34 members, one of whom shall be the Chairman of the New Jersey  
35 Sports and Exposition Authority and one of whom shall be the  
36 President and Chief Executive Officer of the New Jersey Sports and  
37 Exposition Authority, and 15 appointed members, eleven of whom  
38 shall be the members appointed by the Governor pursuant to P.L.1985,  
39 c.325 (C.5:10-6.1), who shall continue to serve as members of the  
40 commission until the expiration of their terms, and four of whom shall  
41 be appointed after the effective date of P.L. , c. (C. )(now  
42 pending before the Legislature as this bill) as follows: one member  
43 shall be appointed for a term of two years by the Governor upon the  
44 recommendation of the New Jersey Presswriters Association, one  
45 member shall be appointed for a term of two years by the President of  
46 the Senate, one member shall be appointed for a term of two years by

1 the Speaker of the General Assembly and one member shall be  
2 appointed for a term of two years by the authority.

3 b. After the expiration of the terms of the appointed members set  
4 forth in subsection a. of this section, the commission members shall  
5 thereafter be appointed to the commission as follows: eight members  
6 shall be appointed by the Governor with the advice and consent of the  
7 Senate, two members shall be appointed by the Governor upon the  
8 recommendation of the New Jersey Presswriters Association, two  
9 members shall be appointed by the President of the Senate, two  
10 members shall be appointed by the Speaker of the General Assembly  
11 and one member shall be appointed by the authority.

12 c. Of the ten members initially appointed by the Governor pursuant  
13 to subsection b. of this section, three shall serve terms of one year,  
14 three shall serve terms of two years, three shall serve terms of three  
15 years and one shall serve a term of four years. Of the four members  
16 initially appointed by the President of the Senate and the Speaker of  
17 the General Assembly pursuant to subsection b. of this section, each  
18 of the members shall serve terms of three years. The member initially  
19 appointed pursuant to subsection b. of this section by the authority  
20 shall serve a term of three years. The terms of all members thereafter  
21 appointed, other than ex officio members and those members  
22 appointed to fill unexpired terms, shall run for five years from the date  
23 of expiration of the terms of their predecessors.

24 d. As soon as may be practical after the appointment of the  
25 commission's members, the Governor shall appoint a chairperson and  
26 the commission shall meet and elect a vice-chairperson and such other  
27 officers as it shall determine, all from among its membership.  
28 Vacancies in the membership of the commission and in the offices of  
29 chairperson and vice-chairperson shall be filled in the manner provided  
30 for the original appointments pursuant to P.L. , c. (C. )(now  
31 pending before the Legislature as this bill).

32 e. The members to be appointed to the commission shall represent  
33 a diversity of areas consistent with the goals of the New Jersey Hall of  
34 Fame including, but not limited to, persons who are representative of  
35 the areas of the visual and performing arts, music, literature, science,  
36 education, sports, entertainment, business, religion, government,  
37 military and philanthropy, persons who are familiar with these areas as  
38 they relate directly to the State of New Jersey and everyday New  
39 Jersey residents who have contributed to making this State a great  
40 place to live and work.

41  
42 5. (New section) It shall be the duty of the commission to develop  
43 plans for establishing and operating a New Jersey Hall of Fame and to  
44 advise the authority with respect to the operation and management of  
45 the New Jersey Hall of Fame as a project within the Meadowlands  
46 complex, giving due consideration to architectural designs,

1 development of new structures or the adapting of existing structures  
2 within which the New Jersey Hall of Fame may be located, criteria for  
3 selection of nominees to the Hall of Fame, the annual ceremonies for  
4 the induction of nominees into the Hall of Fame and other areas the  
5 commission may deem relevant to the creation at the Meadowlands  
6 complex of a New Jersey Hall of Fame including, but not limited to,  
7 such programs and events that the Foundation for the New Jersey Hall  
8 of Fame, established pursuant to section 6 of P.L. , c. (C. )(now  
9 pending before the Legislature as this bill), may wish to consider in  
10 connection with the foundation's fund-raising activities to support the  
11 operation, maintenance, support and promotion of the New Jersey Hall  
12 of Fame and to support charitable organizations that directly benefit  
13 children in need in New Jersey and throughout the world.

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15 of New Jersey, promote the heritage of the residents of this State and  
16 instill pride in the State by increasing the public's awareness of the  
17 contributions made to society by past and present residents of New  
18 Jersey, make recommendations for local and State actions to follow up  
19 the commission's goals and consider such other matters relating to the  
20 accomplishment of its goals as the commission may deem appropriate.

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22 made available to it for its purposes, to employ an executive director  
23 and professional, technical and administrative personnel and to  
24 contract for such professional and administrative services, and incur  
25 traveling and other miscellaneous expenses as it may deem necessary,  
26 in order to perform its duties. No member of the commission shall  
27 engage in any business transaction or professional activity for profit  
28 with the State of New Jersey. Employees of the commission shall not  
29 be construed to be employees of the State of New Jersey.

30 d. The commission shall be entitled to call to its assistance and  
31 avail itself of the services of the employees of any State, county or  
32 municipal department, board, bureau, commission or agency as it may  
33 require and as may be available to it for this purpose.

34

35 6. (New section) a. The authority is also authorized to establish  
36 a nonprofit, educational and charitable organization to be known as  
37 the Foundation for the New Jersey Hall of Fame, hereafter referred to  
38 as the "foundation." The foundation shall be incorporated as a New  
39 Jersey nonprofit corporation pursuant to P.L.1983, c.127 (C.15A:1-1  
40 et seq.), and organized and operated in such manner as to be eligible  
41 under applicable federal law for tax-exempt status and for the receipt  
42 of tax-deductible contributions, and shall be authorized to sue and to  
43 be sued as a legal entity separate from the authority and from the State  
44 of New Jersey.

45 b. The foundation shall be responsible for the planning, promoting  
46 and coordinating of fund-raising drives and the soliciting of

1 contributions for the purposes set forth in P.L. , c. (C. )(now  
2 pending before the Legislature as this bill) and for determining how  
3 such funds and contributions shall be allocated for: (1) the support of  
4 the New Jersey Hall of Fame project including, but not limited to, the  
5 annual induction ceremonies for nominees to the New Jersey Hall of  
6 Fame and other events sponsored in connection with the New Jersey  
7 Hall of Fame project; (2) the support of charitable organizations that  
8 directly benefit children in need in New Jersey and throughout the  
9 world; (3) the administrative and other expenses of the commission  
10 and hall of fame corporation, as appropriate; and (4) other purposes  
11 of P.L. , c. (C. ) (now pending before the Legislature as this  
12 bill).

13

14 7. (New section) a. The foundation shall be governed by a board  
15 of trustees whose members shall be appointed based on their fund-  
16 raising ability and other qualifications that are consistent with the  
17 goals of the foundation. The number of members of the board of  
18 trustees, their terms and the manner of selection including, but not  
19 limited to, the naming of a chairperson shall be determined upon  
20 incorporation of the foundation.

21 b. The board of trustees shall be authorized, within the limits of its  
22 own funds, to employ an executive director and professional, technical  
23 and administrative personnel. Employees of the foundation shall not  
24 be construed to be employees of the State of New Jersey. The board  
25 shall also be authorized to contract for such professional and  
26 administrative services as it shall deem necessary.

27

28 8. (New section) Upon the incorporation of the foundation and the  
29 establishment of the first board of trustees, the board shall adopt  
30 bylaws setting forth the structure, offices, powers and duties of the  
31 foundation, based upon the following guidelines:

32 a. Members of the board of trustees of the foundation shall serve  
33 without compensation, but shall be entitled to reimbursement for  
34 necessary expenses incurred in the performance of their duties.

35 b. The chairperson may appoint such subcommittees as deemed  
36 necessary or desirable, and if a subcommittee is appointed, the  
37 members of the subcommittee shall elect one of the members to serve  
38 as chairperson and one of the members to serve as vice-chairperson of  
39 the subcommittee.

40

41 9. (New section) The foundation shall, in conjunction with the  
42 commission and the hall of fame corporation, as applicable, annually  
43 report its findings and recommendations to the Governor, the  
44 Legislature and the public. The report shall address the responsibilities  
45 of the foundation, commission and hall of fame corporation, as set  
46 forth in P.L. , c. (C. )(now pending before the Legislature as this  
47 bill), along with all other issues which the foundation, commission and

1 hall of fame corporation, as applicable, find to be necessarily related.

2 10. (New section) All funds received by the foundation, other than  
3 those necessary to pay the expenses of the foundation, shall be used  
4 exclusively for the establishment, support and promotion of the  
5 purposes as set forth in P.L. , c. (C. )(now pending before the  
6 Legislature as this bill).

7

8 11. (New section) All expenses incurred by the commission, the  
9 foundation and the hall of fame corporation, as appropriate, shall be  
10 payable from funds raised by the foundation and from such other funds  
11 as may be made available to the commission, the foundation or hall of  
12 fame corporation, as the case may be, and no liability or obligation, in  
13 tort or contract, shall be incurred by the State for the operation of the  
14 commission, foundation or hall of fame corporation. The commission,  
15 foundation and hall of fame corporation shall, if necessary, obtain  
16 private counsel, and shall not be represented by the Attorney General  
17 or indemnified by the State of New Jersey.

18

19 12. (New section) A certified public accountant shall be selected  
20 by the foundation to annually audit the foundation's funds. The  
21 foundation shall contract for and receive such audit annually, and shall  
22 submit the audit to the State Treasurer and the Director of the  
23 Division of Budget and Accounting in the Department of Treasury.

24

25 13. (New section) Whenever, in any law, rule, regulation, order,  
26 contract, document, judicial or administrative proceeding or otherwise,  
27 reference is made to the New Jersey Sports Hall of Fame, the same  
28 shall mean and refer to the "New Jersey Hall of Fame."

29

30 14. (New section) There is appropriated \$95,000 from the General  
31 Fund to the commission for the purposes of P.L. , c. (C. )(now  
32 pending before the Legislature as this bill).

33

34 15. This act shall take effect immediately.

35

36

37

#### STATEMENT

38

39 This bill authorizes the New Jersey Sports and Exposition Authority  
40 (the "authority"), in its discretion, to establish a separate, nonprofit  
41 hall of fame corporation (the "corporation") to operate and manage a  
42 New Jersey Hall of Fame project (the "hall of fame") within the  
43 Meadowlands complex to honor past and present individuals from the  
44 State of New Jersey who have made substantial contributions to  
45 society through their accomplishments in such areas as the visual and  
46 performing arts, music, literature, science, education, sports,



1 entertainment, business, religion, government, military and  
2 philanthropy.

3 This bill establishes a 17-member New Jersey Hall of Fame  
4 Advisory Commission (the "commission"), consisting of two ex officio  
5 members, and 15 appointed members including the 11-member board  
6 of directors of the New Jersey Sports Hall of Fame appointed by the  
7 Governor pursuant to P.L.1985, c.325 (C.5:10-6.1) who shall continue  
8 to serve as members of the commission until the expiration of their  
9 terms, and four additional members to be appointed by the Governor,  
10 the President of the Senate, the Speaker of the General Assembly and  
11 by the authority, respectively.

12 Upon the expiration of the terms of the 15 appointed members, the  
13 bill provides for the members to thereafter be appointed as follows:  
14 eight members shall be appointed by the Governor with the advice and  
15 consent of the Senate, two members shall be appointed by the  
16 Governor upon the recommendation of the New Jersey Presswriters  
17 Association, two members shall be appointed by the President of the  
18 Senate, two members shall be appointed by the Speaker of the General  
19 Assembly and one member shall be appointed by the authority.

20 Of the ten members initially appointed by the Governor, the bill  
21 provides that three shall serve terms of one year, three shall terms of  
22 two years, three shall serve terms of three years and one shall serve a  
23 term of four years. Of the four members initially appointed by the  
24 President of the Senate and the Speaker of the General Assembly, the  
25 bill provides that each of the members shall serve terms of three years.  
26 The member initially appointed by the authority shall serve a term of  
27 three years. The terms of all other members thereafter appointed, other  
28 than ex officio members and members appointed to fill unexpired  
29 terms, shall run for five years.

30 The function of the commission is to advise the authority with  
31 respect to the operation and management of the hall of fame, the  
32 development of new structures or the use of existing structures within  
33 which the hall of fame may be located, the criteria for selection of  
34 nominees to the hall of fame, the annual induction ceremonies for  
35 nominees to the hall of fame and such other programs and activities  
36 that the "Foundation for the New Jersey Hall of Fame," established  
37 pursuant to section 6 of the bill, may wish to consider in connection  
38 with its fund-raising activities to support the hall of fame and  
39 charitable organizations that directly benefit children in need in New  
40 Jersey and throughout the world.

41 The members to be appointed to the commission shall be persons  
42 who represent a diversity of areas including, but not limited to,  
43 persons are representative of the visual and performing arts, music,  
44 literature, science, education, sports, entertainment, business, religion,  
45 government, military and philanthropy, persons who are familiar with  
46 these areas as they relate directly to the State of New Jersey and those

1 everyday New Jersey residents who contribute to making the State a  
2 great place to live and work. The commission shall be responsible for  
3 developing policies to improve the image of New Jersey and instill  
4 pride in the State and for making recommendations for local and State  
5 actions to follow up on the commission's goals.

6 The bill also authorizes the authority to establish a separate  
7 nonprofit, educational and charitable organization to be known as the  
8 Foundation for the New Jersey Hall of Fame (the "foundation"). The  
9 foundation shall be devoted to the sponsoring of fund-raising activities  
10 and the soliciting of contributions for the purposes of the bill and shall  
11 determine the allocation of such funds and contributions for the  
12 support of the hall of fame, for the support of charitable organizations  
13 that directly benefit children in need in New Jersey and throughout the  
14 world and for other expenses to support the purposes of the bill.

15 The foundation shall be governed by a board of trustees whose  
16 members shall be appointed based on their fund-raising ability and  
17 other qualifications that are consistent with the goals of the  
18 foundation. The number of members of the board of trustees, their  
19 terms and the manner of selection including, but not limited to, the  
20 naming of a chairperson shall be determined upon incorporation of the  
21 foundation. The bill requires the board to adopt bylaws setting forth  
22 the structure, offices, powers and duties of the foundation, based upon  
23 guidelines contained in section 8 of the bill. The bill requires the  
24 foundation, in conjunction with the commission and the corporation,  
25 as applicable, to annually report its findings and recommendations to  
26 the Governor, the Legislature and the public. The bill provides that all  
27 funds raised by the foundation, other than those necessary to pay the  
28 expenses of the foundation itself, shall be used exclusively for the  
29 establishment, support and promotion of the purposes of set forth in  
30 the bill.

31 The bill further provides that all expenses incurred by the  
32 commission, foundation and the corporation, as appropriate, shall be  
33 payable from funds raised by the foundation and from such other funds  
34 that may be made available, and that no liability or obligation, in tort  
35 or contract, shall be incurred by the State for the operation of the  
36 commission, foundation and corporation, as the case may be. The  
37 commission, foundation and corporation, as appropriate, shall, if  
38 necessary, obtain private counsel, and shall not be represented by the  
39 Attorney General or indemnified by the State of New Jersey. The bill  
40 requires the foundation to select a certified public accountant to  
41 annually audit the foundation's funds, to annually contract for and  
42 receive such audit annually and to submit the audit to the State  
43 Treasurer and the Director of the Division of Budget and Accounting  
44 in the Department of Treasury. The bill appropriates \$95,000 from the  
45 General Fund to the commission for the purposes of the bill.

# ASSEMBLY TOURISM AND GAMING COMMITTEE

## STATEMENT TO

[First Reprint]

**SENATE, No. 2309**

# **STATE OF NEW JERSEY**

DATED: JUNE 9, 2005

The Assembly Tourism and Gaming Committee reports favorably Senate, No. 2309 (1R).

This bill authorizes the New Jersey Sports and Exposition Authority to establish a separate, nonprofit hall of fame corporation to operate and manage a New Jersey Hall of Fame project within the Meadowlands complex. The purpose of the project would be to honor individuals from New Jersey who have made substantial contributions to society through their accomplishments in areas such as the visual and performing arts, music, literature, science, education, sports, entertainment, business, religion, government, military and philanthropy.

This bill establishes a 17-member New Jersey Hall of Fame Advisory Commission, which will advise the authority with respect to the operation and management of the hall of fame, the development of new structures or the use of existing structures within which the hall of fame may be located, the criteria for selection of nominees to the hall of fame, the annual induction ceremonies for nominees to the hall of fame and such other programs and activities that the "Foundation for the New Jersey Hall of Fame," established pursuant to section 6 of the bill, may wish to consider in connection with its fund-raising activities to support the hall of fame and charitable organizations that directly benefit children in need in New Jersey and throughout the world. The commission will be responsible for developing policies to improve the image of New Jersey and instilling pride in the State and for making recommendations for local and State actions to follow up on the commission's goals.

The bill also authorizes the authority to establish a separate nonprofit, educational and charitable organization to be known as the Foundation for the New Jersey Hall of Fame. The foundation would be devoted to the sponsoring of fund-raising activities and the soliciting of contributions for the purposes of the bill and will determine the allocation of such funds and contributions for the support of the hall of fame, for the support of charitable organizations that directly benefit children in need in New Jersey and throughout the world and for other expenses to support the purposes of the bill. The

foundation can receive and administer gifts, contributions, and funds from public and private sources to be expended solely for the purposes provided in section 5 of the bill.

The bill requires the foundation, in conjunction with the commission and the corporation, as applicable, to annually report its findings and recommendations to the Governor, the Legislature and the public. The bill provides that all funds raised by the foundation, other than those necessary to pay the expenses of the foundation itself, shall be used exclusively for the establishment, support and promotion of the purposes of set forth in the bill.

This bill is identical to Assembly, No.3889 (1R).

# SENATE ECONOMIC GROWTH COMMITTEE

## STATEMENT TO

### **SENATE, No. 2309**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MARCH 7, 2005

The Senate Economic Growth Committee reports favorably and with committee amendments Senate Bill No. 2309.

This bill, as amended by the committee, authorizes the New Jersey Sports and Exposition Authority (the "authority"), in its discretion, to establish a separate, nonprofit hall of fame corporation (the "corporation") to operate and manage a New Jersey Hall of Fame project (the "hall of fame") within the Meadowlands complex to honor past and present individuals from the State of New Jersey who have made substantial contributions to society through their accomplishments in such areas as the visual and performing arts, music, literature, science, education, sports, entertainment, business, religion, government, military and philanthropy.

This bill establishes a 17-member New Jersey Hall of Fame Advisory Commission (the "commission"), consisting of two ex officio members, and 15 appointed members including the 11-member board of directors of the New Jersey Sports Hall of Fame appointed by the Governor pursuant to P.L.1985, c.325 (C.5:10-6.1) who shall continue to serve as members of the commission until the expiration of their terms, and four additional members to be appointed by the Governor, the President of the Senate, the Speaker of the General Assembly and the authority, respectively.

Upon the expiration of the terms of the 15 appointed members, the bill provides for the members to thereafter be appointed as follows: eight members shall be appointed by the Governor with the advice and consent of the Senate, two members shall be appointed by the Governor upon the recommendation of the New Jersey Presswriters Association, two members shall be appointed by the President of the Senate, two members shall be appointed by the Speaker of the General Assembly and one member shall be appointed by the authority.

Of the ten members initially appointed by the Governor, the bill provides that three shall serve terms of one year, three shall terms of two years, three shall serve terms of three years and one shall serve a term of four years. Of the four members initially appointed by the President of the Senate and the Speaker of the General Assembly, the

bill provides that each of the members shall serve terms of three years. The member initially appointed by the authority shall serve a term of three years. The terms of all other members thereafter appointed, other than ex officio members and members appointed to fill unexpired terms, shall run for five years.

The function of the commission is to advise the authority with respect to the operation and management of the hall of fame, the development of new structures or the use of existing structures within which the hall of fame may be located, the criteria for selection of nominees to the hall of fame, the annual induction ceremonies for nominees to the hall of fame and such other programs and activities that the "Foundation for the New Jersey Hall of Fame," established pursuant to section 6 of the bill, may wish to consider in connection with its fund-raising activities to support the hall of fame and charitable organizations that directly benefit children in need in New Jersey and throughout the world.

The members to be appointed to the commission shall be persons who represent a diversity of areas including, but not limited to, persons who are representative of the visual and performing arts, music, literature, science, education, sports, entertainment, business, religion, government, military and philanthropy, persons who are familiar with these areas as they relate directly to the State of New Jersey and those everyday New Jersey residents who contribute to making the State a great place to live and work. The commission shall be responsible for developing policies to improve the image of New Jersey and instill pride in the State and for making recommendations for local and State actions to follow up on the commission's goals.

The bill also authorizes the authority to establish a separate nonprofit, educational and charitable organization to be known as the Foundation for the New Jersey Hall of Fame (the "foundation"). The foundation shall be devoted to the sponsoring of fund-raising activities and the soliciting of contributions for the purposes of the bill and shall determine the allocation of such funds and contributions for the support of the hall of fame, for the support of charitable organizations that directly benefit children in need in New Jersey and throughout the world and for other expenses to support the purposes of the bill.

The foundation shall be governed by a board of trustees whose members shall be appointed based on their fund-raising ability and other qualifications that are consistent with the goals of the foundation. The number of members of the board of trustees, their terms and the manner of selection including, but not limited to, the naming of a chairperson shall be determined upon incorporation of the foundation. The bill requires the board to adopt bylaws setting forth the structure, offices, powers and duties of the foundation, based upon guidelines contained in section 8 of the bill. The bill requires the foundation, in conjunction with the commission and the corporation, as applicable, to annually report its findings and recommendations to the Governor, the Legislature and the public. The bill provides that all

funds raised by the foundation, other than those necessary to pay the expenses of the foundation itself, shall be used exclusively for the establishment, support and promotion of the purposes of set forth in the bill.

The bill further provides that all expenses incurred by the commission, foundation and the corporation, as appropriate, shall be payable from funds raised by the foundation and from such other funds that may be made available, and that no liability or obligation, in tort or contract, shall be incurred by the State for the operation of the commission, foundation and corporation, as the case may be. The commission, foundation and corporation, as appropriate, shall, if necessary, obtain private counsel, and shall not be represented by the Attorney General or indemnified by the State of New Jersey. The bill requires the foundation to select a certified public accountant to annually audit the foundation's funds, to annually contract for and receive such audit annually and to submit the audit to the State Treasurer and the Director of the Division of Budget and Accounting in the Department of Treasury.

The committee amended the bill to: 1) remove the \$95,000 General Fund appropriation to the commission; and 2) allow the commission to receive and administer gifts, contributions, and funds from public and private sources to be expended solely for the purposes provided in section 5 of the bill.

# ASSEMBLY, No. 3889

## STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED MARCH 1, 2005

**Sponsored by:**

**Assemblyman JOSEPH CRYAN**

**District 20 (Union)**

**SYNOPSIS**

Authorizes New Jersey Sports and Exposition Authority to establish the New Jersey Hall of Fame within the Meadowlands complex; appropriates \$95,000.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 6/10/2005)**



A3889 CRYAN

2

1 AN ACT authorizing the establishment of a New Jersey Hall of Fame,  
2 amending P.L.1985, c.325, supplementing chapter 10 of Title 5 of  
3 the Revised Statutes 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) This act shall be known and may be cited as the  
9 "New Jersey Hall of Fame Act."

10

11 2. (New section) The Legislature finds and determines that:

12 a. New Jersey has given rise to many nationally and internationally  
13 known leaders in many diverse areas including the visual and  
14 performing arts, music, literature, science, education, sports,  
15 entertainment, business, religion, government, military and  
16 philanthropy;

17 b. While the New Jersey Sports Hall of Fame has taken the lead  
18 during the past twenty years in honoring many New Jersey athletes  
19 who have distinguished themselves in the world of sports, it is entirely  
20 fitting and proper to establish a broader-based hall of fame project that  
21 would allow the State to promote the accomplishments of such  
22 individuals who have excelled in many different fields of endeavor in  
23 addition to sports;

24 c. Other states including South Carolina and South Dakota have  
25 successfully established and operated their own hall of fame projects  
26 for over 30 years and have utilized such projects to not only improve  
27 their state's image but to also raise millions of dollars for their  
28 respective halls of fame;

29 d. It is therefore in the public interest for this State to publicly  
30 recognize the unique achievements of outstanding New Jerseyans from  
31 many diverse fields through the creation of a New Jersey Hall of Fame  
32 in order to honor outstanding persons from New Jersey for their  
33 contributions in many different fields of endeavor, and to utilize  
34 revenues obtained from the New Jersey Hall of Fame events and  
35 ceremonies to support the funding of the New Jersey Hall of Fame and  
36 to contribute to charitable organizations that directly benefit children  
37 in need in New Jersey and throughout the world.

38

39 3. Section 1 of P.L.1985, c.325 (C.5:10-6.1) is amended to read as  
40 follows:

41 1. a. The New Jersey Sports and Exposition Authority created by  
42 P.L.1971, c.137 (C.5:10-1 et seq.) is authorized to establish and  
43 operate a New Jersey **[Sports]** Hall of Fame as part of the

**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 Meadowlands complex. With respect to this project, the authority  
2 may exercise all the rights and powers relating to the Meadowlands  
3 complex granted to the authority under P.L.1971, c.137 (C.5:10-1 et  
4 seq.) as though the rights and powers were granted under [this  
5 supplementary act] P.L.1985, c. 25 (C.5:10-6.1) and P.L. , c.   
6 (C. )(now pending before the Legislature as this bill), and made  
7 applicable to a New Jersey [Sports] Hall of Fame.

8 b The New Jersey Sports and Exposition Authority is authorized,  
9 in its discretion, to establish a New Jersey Hall of Fame corporation,  
10 hereinafter referred to as the "hall of fame corporation," to operate  
11 and manage a New Jersey Hall of Fame project authorized by  
12 subsection a. of this section. The corporation may be established as  
13 a separate, nonprofit corporation to be incorporated as a New Jersey  
14 nonprofit corporation pursuant to P.L.1983, c.127 (C.15A:1-1 et  
15 seq.), and organized and operated in such manner as to be eligible  
16 under applicable federal law for tax-exempt status, and shall be  
17 authorized to sue and to be sued as a legal entity separate from the  
18 authority and from the State of New Jersey.

19 c. The terms of the 11 members appointed by the Governor to the  
20 board of directors of the New Jersey Sports Hall of Fame pursuant to  
21 P.L.1985, c.325 (C.5:10-6.1), shall continue after the effective date of  
22 P.L. , c. (C. )(now pending before the Legislature as this bill) and  
23 such board members serving on the effective date of P.L. , c.   
24 (C. )(now pending before the Legislature as this bill) shall serve as  
25 members of the New Jersey Hall of Fame Advisory Commission  
26 established pursuant to section 4 of P.L. , c. (C. )(now pending  
27 before the Legislature as this bill) until the expiration of their terms.  
28 (c.f. P.L.1985, c.325, s.1)

29  
30 4. (New section) a. There is established to advise the New Jersey  
31 Sports and Exposition Authority, a commission to be known as the  
32 New Jersey Hall of Fame Advisory Commission, hereafter referred to  
33 as the "commission." The commission shall consist of two ex officio  
34 members, one of whom shall be the Chairman of the New Jersey  
35 Sports and Exposition Authority and one of whom shall be the  
36 President and Chief Executive Officer of the New Jersey Sports and  
37 Exposition Authority, and 15 appointed members, eleven of whom  
38 shall be the members appointed by the Governor pursuant to P.L.1985,  
39 c.325 (C.5:10-6.1), who shall continue to serve as members of the  
40 commission until the expiration of their terms, and four of whom shall  
41 be appointed after the effective date of P.L. , c. (C. )(now  
42 pending before the Legislature as this bill) as follows: one member  
43 shall be appointed for a term of two years by the Governor upon the  
44 recommendation of the New Jersey Presswriters Association, one  
45 member shall be appointed for a term of two years by the President of  
46 the Senate, one member shall be appointed for a term of two years by

1 the Speaker of the General Assembly and one member shall be  
2 appointed for a term of two years by the authority.

3 b. After the expiration of the terms of the appointed members set  
4 forth in subsection a. of this section, the commission members shall  
5 thereafter be appointed to the commission as follows: eight members  
6 shall be appointed by the Governor with the advice and consent of the  
7 Senate, two members shall be appointed by the Governor upon the  
8 recommendation of the New Jersey Presswriters Association, two  
9 members shall be appointed by the President of the Senate, two  
10 members shall be appointed by the Speaker of the General Assembly  
11 and one member shall be appointed by the authority.

12 c. Of the ten members initially appointed by the Governor pursuant  
13 to subsection b. of this section, three shall serve terms of one year,  
14 three shall serve terms of two years, three shall serve terms of three  
15 years and one shall serve a term of four years. Of the four members  
16 initially appointed by the President of the Senate and the Speaker of  
17 the General Assembly pursuant to subsection b. of this section, each  
18 of the members shall serve terms of three years. The member initially  
19 appointed pursuant to subsection b. of this section by the authority  
20 shall serve a term of three years. The terms of all members thereafter  
21 appointed, other than ex officio members and those members  
22 appointed to fill unexpired terms, shall run for five years from the date  
23 of expiration of the terms of their predecessors.

24 d. As soon as may be practical after the appointment of the  
25 commission's members, the Governor shall appoint a chairperson and  
26 the commission shall meet and elect a vice-chairperson and such other  
27 officers as it shall determine, all from among its membership.  
28 Vacancies in the membership of the commission and in the offices of  
29 chairperson and vice-chairperson shall be filled in the manner provided  
30 for the original appointments pursuant to P.L. , c. (C. )(now  
31 pending before the Legislature as this bill).

32 e. The members to be appointed to the commission shall represent  
33 a diversity of areas consistent with the goals of the New Jersey Hall of  
34 Fame including, but not limited to, persons who are representative of  
35 the areas of the visual and performing arts, music, literature, science,  
36 education, sports, entertainment, business, religion, government,  
37 military and philanthropy, persons who are familiar with these areas as  
38 they relate directly to the State of New Jersey and everyday New  
39 Jersey residents who have contributed to making this State a great  
40 place to live and work.

41  
42 5. (New section) It shall be the duty of the commission to develop  
43 plans for establishing and operating a New Jersey Hall of Fame and to  
44 advise the authority with respect to the operation and management of  
45 the New Jersey Hall of Fame as a project within the Meadowlands  
46 complex, giving due consideration to architectural designs,

1 development of new structures or the adapting of existing structures  
2 within which the New Jersey Hall of Fame may be located, criteria for  
3 selection of nominees to the Hall of Fame, the annual ceremonies for  
4 the induction of nominees into the Hall of Fame and other areas the  
5 commission may deem relevant to the creation at the Meadowlands  
6 complex of a New Jersey Hall of Fame including, but not limited to,  
7 such programs and events that the Foundation for the New Jersey Hall  
8 of Fame, established pursuant to section 6 of P.L. , c. (C. )(now  
9 pending before the Legislature as this bill), may wish to consider in  
10 connection with the foundation's fund-raising activities to support the  
11 operation, maintenance, support and promotion of the New Jersey Hall  
12 of Fame and to support charitable organizations that directly benefit  
13 children in need in New Jersey and throughout the world.

14 b. The commission shall also develop policies to improve the image  
15 of New Jersey, promote the heritage of the residents of this State and  
16 instill pride in the State by increasing the public's awareness of the  
17 contributions made to society by past and present residents of New  
18 Jersey, make recommendations for local and State actions to follow up  
19 the commission's goals and consider such other matters relating to the  
20 accomplishment of its goals as the commission may deem appropriate.

21 c. The commission shall be authorized, within the limits of the  
22 funds made available to it for its purposes, to employ an executive  
23 director and professional, technical and administrative personnel and  
24 to contract for such professional and administrative services, and incur  
25 traveling and other miscellaneous expenses as it may deem necessary,  
26 in order to perform its duties. No member of the commission shall  
27 engage in any business transaction or professional activity for profit  
28 with the State of New Jersey. Employees of the commission shall not  
29 be construed to be employees of the State of New Jersey.

30 d. The commission shall be entitled to call to its assistance and  
31 avail itself of the services of the employees of any State, county or  
32 municipal department, board, bureau, commission or agency as it may  
33 require and as may be available to it for this purpose.

34  
35 6. (New section) a. The authority is also authorized to establish a  
36 nonprofit, educational and charitable organization to be known as the  
37 Foundation for the New Jersey Hall of Fame, hereafter referred to as  
38 the "foundation." The foundation shall be incorporated as a New  
39 Jersey nonprofit corporation pursuant to P.L.1983, c.127 (C.15A:1-1  
40 et seq.), and organized and operated in such manner as to be eligible  
41 under applicable federal law for tax-exempt status and for the receipt  
42 of tax-deductible contributions, and shall be authorized to sue and to  
43 be sued as a legal entity separate from the authority and from the State  
44 of New Jersey.

45 b. The foundation shall be responsible for the planning, promoting  
46 and coordinating of fund-raising drives and the soliciting of

1 contributions for the purposes set forth in P.L. , c. (C. )(now  
2 pending before the Legislature as this bill) and for determining how  
3 such funds and contributions shall be allocated for: (1) the support of  
4 the New Jersey Hall of Fame project including, but not limited to, the  
5 annual induction ceremonies for nominees to the New Jersey Hall of  
6 Fame and other events sponsored in connection with the New Jersey  
7 Hall of Fame project; (2) the support of charitable organizations that  
8 directly benefit children in need in New Jersey and throughout the  
9 world; (3) the administrative and other expenses of the commission  
10 and hall of fame corporation, as appropriate; and (4) other purposes  
11 of P.L. , c. (C. ) (now pending before the Legislature as this  
12 bill).

13

14 7. (New section) a. The foundation shall be governed by a board  
15 of trustees whose members shall be appointed based on their fund-  
16 raising ability and other qualifications that are consistent with the  
17 goals of the foundation. The number of members of the board of  
18 trustees, their terms and the manner of selection including, but not  
19 limited to, the naming of a chairperson shall be determined upon  
20 incorporation of the foundation.

21 b. The board of trustees shall be authorized, within the limits of its  
22 own funds, to employ an executive director and professional, technical  
23 and administrative personnel. Employees of the foundation shall not  
24 be construed to be employees of the State of New Jersey. The board  
25 shall also be authorized to contract for such professional and  
26 administrative services as it shall deem necessary.

27

28 8. (New section) Upon the incorporation of the foundation and the  
29 establishment of the first board of trustees, the board shall adopt  
30 bylaws setting forth the structure, offices, powers and duties of the  
31 foundation, based upon the following guidelines:

32 a. Members of the board of trustees of the foundation shall serve  
33 without compensation, but shall be entitled to reimbursement for  
34 necessary expenses incurred in the performance of their duties.

35 b. The chairperson may appoint such subcommittees as deemed  
36 necessary or desirable, and if a subcommittee is appointed, the  
37 members of the subcommittee shall elect one of the members to serve  
38 as chairperson and one of the members to serve as vice-chairperson of  
39 the subcommittee.

40

41 9. (New section) The foundation shall, in conjunction with the  
42 commission and the hall of fame corporation, as applicable, annually  
43 report its findings and recommendations to the Governor, the  
44 Legislature and the public. The report shall address the responsibilities  
45 of the foundation, commission and hall of fame corporation, as set  
46 forth in P.L. , c. (C. )(now pending before the Legislature as this

1 bill), along with all other issues which the foundation, commission and  
2 hall of fame corporation, as applicable, find to be necessarily related.

3  
4 10. (New section) All funds received by the foundation, other than  
5 those necessary to pay the expenses of the foundation, shall be used  
6 exclusively for the establishment, support and promotion of the  
7 purposes as set forth in P.L. , c. (C. )(now pending before the  
8 Legislature as this bill).

9  
10 11. (New section) All expenses incurred by the commission, the  
11 foundation and the hall of fame corporation, as appropriate, shall be  
12 payable from funds raised by the foundation and from such other funds  
13 as may be made available to the commission, the foundation or hall of  
14 fame corporation, as the case may be, and no liability or obligation, in  
15 tort or contract, shall be incurred by the State for the operation of the  
16 commission, foundation or hall of fame corporation. The commission,  
17 foundation and hall of fame corporation shall, if necessary, obtain  
18 private counsel, and shall not be represented by the Attorney General  
19 or indemnified by the State of New Jersey.

20  
21 12. (New section) A certified public accountant shall be selected  
22 by the foundation to annually audit the foundation's funds. The  
23 foundation shall contract for and receive such audit annually, and shall  
24 submit the audit to the State Treasurer and the Director of the  
25 Division of Budget and Accounting in the Department of Treasury.

26  
27 13. (New section) Whenever, in any law, rule, regulation, order,  
28 contract, document, judicial or administrative proceeding or otherwise,  
29 reference is made to the New Jersey Sports Hall of Fame, the same  
30 shall mean and refer to the "New Jersey Hall of Fame."

31  
32 14. (New section) There is appropriated \$95,000 from the General  
33 Fund to the commission for the purposes of P.L. , c. (C. )(now  
34 pending before the Legislature as this bill).

35  
36 15. This act shall take effect immediately.

37  
38  
39 STATEMENT

40  
41 This bill authorizes the New Jersey Sports and Exposition Authority  
42 (the "authority"), in its discretion, to establish a separate, nonprofit  
43 hall of fame corporation (the "corporation") to operate and manage a  
44 New Jersey Hall of Fame project (the "hall of fame") within the  
45 Meadowlands complex to honor past and present individuals from the  
46 State of New Jersey who have made substantial contributions to

1 society through their accomplishments in such areas as the visual and  
2 performing arts, music, literature, science, education, sports,  
3 entertainment, business, religion, government, military and  
4 philanthropy.

5 This bill establishes a 17-member New Jersey Hall of Fame  
6 Advisory Commission (the "commission"), consisting of two ex officio  
7 members, and 15 appointed members including the 11-member board  
8 of directors of the New Jersey Sports Hall of Fame appointed by the  
9 Governor pursuant to P.L.1985, c.325 (C.5:10-6.1) who shall continue  
10 to serve as members of the commission until the expiration of their  
11 terms, and four additional members to be appointed by the Governor,  
12 the President of the Senate, the Speaker of the General Assembly and  
13 by the authority, respectively.

14 Upon the expiration of the terms of the 15 appointed members, the  
15 bill provides for the members to thereafter be appointed as follows:  
16 eight members shall be appointed by the Governor with the advice and  
17 consent of the Senate, two members shall be appointed by the  
18 Governor upon the recommendation of the New Jersey Presswriters  
19 Association, two members shall be appointed by the President of the  
20 Senate, two members shall be appointed by the Speaker of the General  
21 Assembly and one member shall be appointed by the authority.

22 Of the ten members initially appointed by the Governor, the bill  
23 provides that three shall serve terms of one year, three shall terms of  
24 two years, three shall serve terms of three years and one shall serve a  
25 term of four years. Of the four members initially appointed by the  
26 President of the Senate and the Speaker of the General Assembly, the  
27 bill provides that each of the members shall serve terms of three years.  
28 The member initially appointed by the authority shall serve a term of  
29 three years. The terms of all other members thereafter appointed, other  
30 than ex officio members and members appointed to fill unexpired  
31 terms, shall run for five years.

32 The function of the commission is to advise the authority with  
33 respect to the operation and management of the hall of fame, the  
34 development of new structures or the use of existing structures within  
35 which the hall of fame may be located, the criteria for selection of  
36 nominees to the hall of fame, the annual induction ceremonies for  
37 nominees to the hall of fame and such other programs and activities  
38 that the "Foundation for the New Jersey Hall of Fame," established  
39 pursuant to section 6 of the bill, may wish to consider in connection  
40 with its fund-raising activities to support the hall of fame and  
41 charitable organizations that directly benefit children in need in New  
42 Jersey and throughout the world.

43 The members to be appointed to the commission shall be persons  
44 who represent a diversity of areas including, but not limited to,  
45 persons are representative of the visual and performing arts, music,  
46 literature, science, education, sports, entertainment, business, religion,

1 government, military and philanthropy, persons who are familiar with  
2 these areas as they relate directly to the State of New Jersey and those  
3 everyday New Jersey residents who contribute to making the State a  
4 great place to live and work. The commission shall be responsible for  
5 developing policies to improve the image of New Jersey and instill  
6 pride in the State and for making recommendations for local and State  
7 actions to follow up on the commission's goals.

8 The bill also authorizes the authority to establish a separate  
9 nonprofit, educational and charitable organization to be known as the  
10 Foundation for the New Jersey Hall of Fame (the "foundation"). The  
11 foundation shall be devoted to the sponsoring of fund-raising activities  
12 and the soliciting of contributions for the purposes of the bill and shall  
13 determine the allocation of such funds and contributions for the  
14 support of the hall of fame, for the support of charitable organizations  
15 that directly benefit children in need in New Jersey and throughout the  
16 world and for other expenses to support the purposes of the bill.

17 The foundation shall be governed by a board of trustees whose  
18 members shall be appointed based on their fund-raising ability and  
19 other qualifications that are consistent with the goals of the  
20 foundation. The number of members of the board of trustees, their  
21 terms and the manner of selection including, but not limited to, the  
22 naming of a chairperson shall be determined upon incorporation of the  
23 foundation. The bill requires the board to adopt bylaws setting forth  
24 the structure, offices, powers and duties of the foundation, based upon  
25 guidelines contained in section 8 of the bill. The bill requires the  
26 foundation, in conjunction with the commission and the corporation,  
27 as applicable, to annually report its findings and recommendations to  
28 the Governor, the Legislature and the public. The bill provides that all  
29 funds raised by the foundation, other than those necessary to pay the  
30 expenses of the foundation itself, shall be used exclusively for the  
31 establishment, support and promotion of the purposes of set forth in  
32 the bill.

33 The bill further provides that all expenses incurred by the  
34 commission, foundation and the corporation, as appropriate, shall be  
35 payable from funds raised by the foundation and from such other funds  
36 that may be made available, and that no liability or obligation, in tort  
37 or contract, shall be incurred by the State for the operation of the  
38 commission, foundation and corporation, as the case may be. The  
39 commission, foundation and corporation, as appropriate, shall, if  
40 necessary, obtain private counsel, and shall not be represented by the  
41 Attorney General or indemnified by the State of New Jersey. The bill  
42 requires the foundation to select a certified public accountant to  
43 annually audit the foundation's funds, to annually contract for and  
44 receive such audit annually and to submit the audit to the State  
45 Treasurer and the Director of the Division of Budget and Accounting  
46 in the Department of Treasury. The bill appropriates \$95,000 from the  
47 General Fund to the commission for the purposes of the bill.



# ASSEMBLY TOURISM AND GAMING COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 3889**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 9, 2005

The Assembly Tourism and Gaming Committee reports favorably and with committee amendments Assembly, No. 3889.

As amended, this bill authorizes the New Jersey Sports and Exposition Authority to establish a separate, nonprofit hall of fame corporation to operate and manage a New Jersey Hall of Fame project within the Meadowlands complex. The purpose of the project would be to honor individuals from New Jersey who have made substantial contributions to society through their accomplishments in areas such as the visual and performing arts, music, literature, science, education, sports, entertainment, business, religion, government, military and philanthropy.

This bill establishes a 17-member New Jersey Hall of Fame Advisory Commission, which will advise the authority with respect to the operation and management of the hall of fame, the development of new structures or the use of existing structures within which the hall of fame may be located, the criteria for selection of nominees to the hall of fame, the annual induction ceremonies for nominees to the hall of fame and such other programs and activities that the "Foundation for the New Jersey Hall of Fame," established pursuant to section 6 of the bill, may wish to consider in connection with its fund-raising activities to support the hall of fame and charitable organizations that directly benefit children in need in New Jersey and throughout the world. The commission will be responsible for developing policies to improve the image of New Jersey and instilling pride in the State and for making recommendations for local and State actions to follow up on the commission's goals.

The bill also authorizes the authority to establish a separate nonprofit, educational and charitable organization to be known as the Foundation for the New Jersey Hall of Fame. The foundation would be devoted to the sponsoring of fund-raising activities and the soliciting of contributions for the purposes of the bill and will determine the allocation of such funds and contributions for the support of the hall of fame, for the support of charitable organizations that directly benefit children in need in New Jersey and throughout the

world and for other expenses to support the purposes of the bill. The foundation can receive and administer gifts, contributions, and funds from public and private sources to be expended solely for the purposes provided in section 5 of the bill.

The bill requires the foundation, in conjunction with the commission and the corporation, as applicable, to annually report its findings and recommendations to the Governor, the Legislature and the public. The bill provides that all funds raised by the foundation, other than those necessary to pay the expenses of the foundation itself, will be used exclusively for the establishment, support and promotion of the purposes set forth in the bill.

As amended by the committee, this bill is identical to Senate, No.2309 (1R).