

13: 1B-15.111

LEGISLATIVE HISTORY CHECKLIST

NJSA: 13:1B-15.111, 13:1B-15.113, 13:1B-15.112g
(New Jersey Historic Trust - reconstitute membership)

LAWS OF: 1983

CHAPTER: 562

Bill No: A1519

Sponsor(s): Marsella

Date Introduced: May 20, 1982

Committee: Assembly: Agriculture and Environment

Senate: Energy and Environment

Amended during passage: No Assembly Committee Substitute enacted

Date of Passage: Assembly: March 14, 1983

Senate: January 9, 1984

Date of Approval: January 17, 1984

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

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1-17-84

83

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 1519

STATE OF NEW JERSEY

ADOPTED NOVEMBER 29, 1982

AN ACT concerning historic preservation, reconstituting the membership of the New Jersey Historic Trust, amending P. L. 1967, c. 124, and repealing section 5 of P. L. 1967, c. 124.

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

1 1. Section 4 of P. L. 1967, c. 124 (C. 13:1B-15.111) is amended
2 to read as follows:

3 4. There is hereby created and established in the [Division of
4 Parks, Forestry and Recreation of the] Department of [Conserva-
5 tion and Economic Development] *Environmental Protection*, a
6 body corporate and politic with corporate succession, to be known as
7 the New Jersey Historic Trust. The trust is hereby constituted an
8 instrumentality exercising public and essential governmental func-
9 tions, and the exercise by the trust of the powers conferred by this
10 act shall be deemed and held to be an essential governmental
11 function of the State.

1 2. Section 6 of P. L. 1967, c. 124 (C. 13:1B-15.113) is amended
2 to read as follows:

3 6. The trustees shall serve without compensation *but may be*
4 *reimbursed for necessary expenses incurred in the performance of*
5 *their duties.*

1 3. (New Section) The powers and duties of the New Jersey
2 Historic Trust shall vest in and be exercised by a board of eleven
3 trustees, three of whom shall be the Commissioner of Environ-
4 mental Protection, the State Treasurer, and the Executive Director
5 of the New Jersey Historical Commission or their respective
6 designees, who shall serve ex officio and eight citizens of the State,

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

7 representing the several geographic regions of the State, to be
8 appointed by the Governor with the advice and consent of the
9 Senate.

10 The citizen members shall serve for three year terms, provided,
11 however, that of those members first appointed, four shall serve
12 for three year terms, two shall serve for two year terms, and two
13 for one year terms. Each of these members shall hold office for
14 the term of the appointment and until a successor shall have been
15 appointed and qualified.

16 The Chairman of the Board of Trustees of the Historic Trust
17 shall be elected by its members.

18 Six members of the board shall constitute a quorum, and the
19 concurrence of six members of the board shall be necessary to
20 validate all acts of the board.

1 4. Section 5 of P. L. 1967, c. 124 (C. 13:1B-15.112) is repealed.

1 5. This act shall take effect immediately.

ASSEMBLY, No. 1519

STATE OF NEW JERSEY

INTRODUCED MAY 20, 1982

By Assemblyman MARSELLA

AN ACT creating the New Jersey Heritage Trust, providing its purposes and powers, and repealing sections 4 through 12 of P. L. 1967, c. 124 and sections 1 through 9 of P. L. 1968, c. 425.

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

1 1. There is created and established in the Department of Environ-
2 mental Protection, a body corporate and politic with corporate
3 succession, to be known as the New Jersey Heritage Trust. The
4 trust is constituted an instrumentality exercising public and
5 essential governmental functions and the exercise by the trust of
6 the powers conferred by this act shall be deemed an essential
7 governmental function of the State.

1 2. The New Jersey Heritage Trust shall have the following
2 purposes:

3 a. To acquire and dispose of real and personal property for
4 recreational, historical and educational purposes;

5 b. To encourage, promote and assist the development of natural
6 sites and historical areas; and

7 c. To generally promote State heritage.

1 3. The powers and duties of the trust shall vest in and be exer-
2 cised by a board of nine trustees comprised of six citizen members
3 appointed by the Governor, the Commissioner of the Department
4 of Environmental Protection, the State Treasurer, and the Director
5 of the Division of Parks and Forestry or their respective designees.
6 Three of the citizen members first appointed shall be members of
7 the Natural Areas Council and three shall be members of the State
8 Review Board for Historical Preservation.

9 The citizen trustees shall serve for 3 years, except that of the
10 members first appointed two shall serve for 3 years, two for 2
11 years, and two for 1 year, each of whom shall continue to serve
12 until succeeded. The trustees shall serve without compensation but
13 may be reimbursed for necessary expenses incurred in the per-
14 formance of their duties.

15 The Chairman of the Board of Trustees of the New Jersey Heri-
16 tage Trust shall be elected by the trustees.

17 Five members of the board shall constitute a quorum, and the
18 concurrence of five members of the board shall be necessary to the
19 validity of all acts of the board.

1 4. The New Jersey Heritage Trust shall have the power:

2 a. To sue and be sued in its own name, but the trustees shall be
3 held harmless for acts performed in good faith;

4 b. To adopt a seal and alter the same at pleasure;

5 c. To adopt bylaws for the regulation of its affairs and the
6 conduct of its business;

7 d. To maintain an office or offices at the place or places within the
8 State which it may designate;

9 e. To appoint officers, who need not be members of the trust, in
10 addition to a secretary and a treasurer, which the trust shall deem
11 advisable, and to employ other employees and agents which may be
12 necessary or desirable in its judgment, to fix their compensation,
13 and to promote and discharge those officers, employees and agents
14 all without regard to the provisions of Title 11 of the Revised
15 Statutes;

16 f. To acquire in the name of the trust, hold and dispose of real
17 and personal property in the exercise of its powers and the per-
18 formance of its duties under this act;

19 g. To apply for and accept any grant of money from the Federal
20 Government, which may be available for programs relating to
21 State heritage, and to subscribe to and comply with any rule or
22 regulation made by the Federal Government with respect to the
23 application of a grant, and to enter into and perform any contract
24 or agreement with respect to the application of a grant;

25 h. To make, enter into and perform all contracts and agreements
26 necessary or incidental to the performance of its duties and the
27 execution of its powers under this act;

28 i. To hold and use all lands in the trust for educational and re-
29 search purposes;

30 j. To accept gifts, legacies, bequests and endowments for any
31 purpose which falls within that of the trust and, unless otherwise
32 specified by the person making the gift, legacy, bequest and endow-

33 ment of money in furtherance of the trust, to invest the same in
34 whole or in part in general obligations of the State of New Jersey;

35 k. To acquire and hold real and personal property and lands
36 significant to State heritage by gift, purchase, devise, bequest or by
37 any other means and to preserve, interpret and administer the
38 properties; and in the acquisition of the properties, to acquire
39 property adjacent thereto deemed necessary for the proper use and
40 administration of State heritage property;

41 l. To apply all moneys, assets, property or other things of value
42 which it may receive as an incident to its operation to the general
43 purpose of the trust;

44 m. To cooperate with and assist, insofar as practicable, any
45 agency of the State or any of its political subdivisions, and any
46 private agency or person in furtherance of the purposes of the
47 trust;

48 n. To give any moneys or personal property held by the trust
49 to the Commissioner of the Department of Environmental Pro-
50 tection on behalf of the State, for the purpose of administering,
51 operating or maintaining the natural areas and historic sites pro-
52 grams of the State of New Jersey; and

53 o. To do all things necessary or convenient to carry out the powers
54 expressly granted in this act.

1 5. The trust shall report periodically to the Governor and the
2 Legislature of the State concerning their activities during the pre-
3 ceding year, together with any recommendations or requests the
4 trustees deem appropriate to further the purposes of the trust.

1 6. All financial assets and liabilities of the New Jersey Historical
2 Trust and the New Jersey Natural Lands Trust are transferred to
3 the New Jersey Heritage Trust as provided by the "State Agency
4 Transfer Act," P. L. 1971, c. 375 (C. 52:14D-1 et seq.).

1 7. Sections 4 through 12 of P. L. 1967, c. 124 (C. 13:1B-15.111
2 through 13:1B-15.118) and sections 1 through 9 of P. L. 1968, c. 425
3 (C. 13:1B-15.119 through 13:1B-15.127) are repealed.

1 8. This act shall take effect immediately.

STATEMENT

This bill creates the New Jersey Heritage Trust, eliminates the New Jersey Historic Trust and the New Jersey Natural Lands Trust and transfers all their assets and liabilities to the New Jersey Heritage Trust to provide a more effective delivery of their services.

ASSEMBLY AGRICULTURE AND ENVIRONMENT
COMMITTEE

STATEMENT TO
ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, No. 1519

STATE OF NEW JERSEY

DATED: NOVEMBER 29, 1982

This bill repeals a section of statutory law which establishes the Historic Trust with members from the Historic Sites Council and reconstitutes the Historic Trust with fewer members.

SENATE ENERGY AND ENVIRONMENT COMMITTEE
STATEMENT TO
ASSEMBLY, No. 1519

STATE OF NEW JERSEY

DATED: DECEMBER 8, 1983

Assembly Bill No. 1519 reconstitutes the membership of the board of trustees of the New Jersey Historic Trust. Assembly Bill No. 1519 would provide that the board of trustees be comprised of eleven members: the Commissioner of the Department of Environmental Protection, the State Treasurer, the Executive Director of the New Jersey Historical Commission, all of whom shall serve ex officio, and eight citizens of the state representing its geographical regions. As previously constituted, the board of trustees was composed of 17 trustees, including the 11 members of the Historic Sites Council, which pending legislation (S-1476) has abolished.