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LAW/RWH

P.L. 2009, CHAPTER 288, *approved January 17, 2010*  
Assembly, No. 3480

1 AN ACT concerning the New Jersey Historic Trust, and amending  
2 P.L.1967, c.124.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 8 of P.L.1967, c.124 (C.13:1B-15.115) is amended  
8 to read as follows:

9 8. The trust shall have power in particular to:

10 a. solicit and accept gifts, legacies, bequests and endowments  
11 for any purpose which falls within that of the trust, and to maintain  
12 interest-bearing trust accounts for those purposes; and, unless  
13 otherwise specified by the person making such gift, legacy, bequest  
14 or endowment, the trustees may expend both principal and income  
15 of any such gift, bequest, legacy, or endowment in furtherance of  
16 the trust or invest it in whole or in part in securities which are legal  
17 for trust funds in the State of New Jersey;

18 b. acquire and hold real and personal property of historic,  
19 aesthetic or cultural significance, by gift, purchase, devise, bequest,  
20 or by any other means, and to preserve and administer such  
21 properties; and in the acquisition of such properties, to acquire  
22 property adjacent thereto deemed necessary for the proper use and  
23 administration of historic, aesthetic or cultural property;

24 c. apply all moneys, assets, property or other things of value it  
25 may receive as an incident to its operation to the general purpose of  
26 the trust;

27 d. cooperate with and assist, insofar as practicable, any agency  
28 of the State or any of its political subdivisions, and any private  
29 agency or person in furtherance of the purpose of the trust;

30 e. give any moneys or property held by the trust to the  
31 Secretary of State or the Commissioner of Environmental Protection  
32 on behalf of the State for purpose of administering, operating or  
33 maintaining the historic sites programs of the State of New Jersey;

34 **[and]**

35 f. report annually to the Governor and the Legislature of the  
36 State of New Jersey its activities during the preceding year together  
37 with any recommendations or requests it deems appropriate to  
38 further the purpose of the trust. The annual report shall include a  
39 summary of the trust's use of the fee-collection authority provided  
40 by subsection h. of this section. The summary shall include the  
41 following information:

42 (1) For conferences:

**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           (a) a list of all conferences conducted during the preceding  
2 year for which fees were collected pursuant to subsection h. of this  
3 section;
- 4           (b) the dollar amount of actual costs incurred by the trust in  
5 connection with each conference listed in the summary;
- 6           (c) the dollar amount of fees collected pursuant to subsection  
7 h. of this section for each conference listed in the summary;
- 8           (d) the dollar amount of funds deposited as excess into the  
9 General Fund for each conference listed in the summary.
- 10          (2) For printed works:
- 11           (a) identification by author with title of each printed work  
12 for which fees were collected pursuant to subsection h. of this  
13 section;
- 14           (b) the actual cost of reprinting the printed work;
- 15           (c) the dollar amount of fees collected pursuant to subsection  
16 h. of this section for reprinting of the printed work;
- 17           (d) the dollar amount of funds deposited as excess into the  
18 General Fund, for each printed work identified in the summary.
- 19          g. to apply for recognition as an organization that is exempt  
20 from federal taxation, pursuant to section 501(c)(3) of the Internal  
21 Revenue Code (26 U.S.C.s. 501(c)(3)), and to accept tax-deductable  
22 gifts, legacies, bequests, and endowments as provided pursuant to  
23 subsection a. of this section, and as allowed by the Internal Revenue  
24 Code. This authorization shall be deemed retroactive to June 21,  
25 1967;
- 26          h. to collect fees for:
- 27           (1) admittance to any conference, seminar, exhibition,  
28 symposium, or similar meeting sponsored by the trust for the  
29 purpose of promoting the preservation, improvement, restoration,  
30 rehabilitation, or acquisition of historic properties in the State;
- 31           (2) distribution to any individual or entity of a book, treatise,  
32 research study, monograph, or other printed work, CD Rom, or DVD  
33 that has been authored or commissioned by the trust for the purpose  
34 of promoting the preservation, improvement, restoration,  
35 rehabilitation, or acquisition of historic properties in the State.
- 36          i. to provide for the collection of fees under this section or by  
37 contract;
- 38          j. fees collected pursuant to paragraph (1) of subsection h. of  
39 this section shall be credited to the account from which the costs of  
40 the conference are paid and shall be available to pay the costs  
41 incurred by the trust in connection with its sponsorship of the  
42 conference, or to reimburse the trust for those costs. In the event  
43 that the total amount of fees collected exceeds the actual costs  
44 incurred by the trust in connection with its sponsorship of a  
45 conference, the amount of such excess shall be deposited in the  
46 General Fund as a miscellaneous receipt;
- 47          k. fees collected pursuant to paragraph (2) of subsection h. of  
48 this section shall be credited to the account from which the costs of

1 reprinting the printed work are paid, and shall be available to pay  
2 the costs incurred by the trust to reprint the printed work, or to  
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4 fees collected exceeds the actual costs incurred by the trust to  
5 reprint the printed work, the amount of such excess shall be  
6 deposited in the General Fund as a miscellaneous receipt.  
7 (cf: P.L.1999, c.152, s.46)

8  
9 2. Section 9 of P.L.1967, c.124 (C.13:1B-15.116) is amended  
10 to read as follows:

11 9. The trust may not acquire, hold, receive or accept any  
12 moneys or other property, real or personal, tangible or intangible,  
13 which will result in the incurrence of any financial obligations on  
14 the part of the State of New Jersey which cannot be supported  
15 entirely from funds available in the trust without the express  
16 approval of the **【Secretary of State】** Commissioner of Community  
17 Affairs **【or】** and the Legislature.  
18 (cf: P.L.1999, c.152, s.48)

19  
20 3. This act shall take effect immediately.

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#### STATEMENT

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25 This bill amends the original legislation the created the New  
26 Jersey Historic Trust to authorize it to seek recognition as a  
27 charitable tax-exempt non-profit organization under section  
28 501(c)(3) of the Internal Revenue Code. If the Trust is awarded  
29 non-profit status, donors of personal and real property would  
30 receive the maximum federal tax deduction allowable under the  
31 United States Internal Revenue Code for donations of gifts,  
32 legacies, bequests, endowments, real property, and personal  
33 property. This benefit would apply to donations to the Trust made  
34 through the New Jersey Legacy Program and the Perpetual  
35 Easement Program.

36 This bill also amends current law to allow the Trust to charge  
37 and collect fees for admittance to any conference, seminar,  
38 exhibition, symposium, or other event sponsored by the Trust for  
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2 would be deposited in the Trust's general fund.

3 Finally, this legislation transfers the authority for approving the  
4 Trust's receipt or acceptance of any moneys or other property which  
5 will result in the incurrence of any financial obligations on the part  
6 of the State which cannot be supported entirely from funds  
7 available from either the Secretary of State or the Legislature to  
8 either the Commissioner of Community Affairs and the Legislature.

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13 \_\_\_\_\_  
14 Permits New Jersey Historic Trust to charge fees for publications  
15 and access to seminars; permits Trust to become tax-exempt  
16 charitable organization under section 501(c)(3) of the Internal  
Revenue Code.

# ASSEMBLY, No. 3480

## STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED NOVEMBER 17, 2008

**Sponsored by:**

**Assemblyman DOUGLAS H. FISHER**  
**District 3 (Salem, Cumberland and Gloucester)**  
**Assemblywoman MARCIA A. KARROW**  
**District 23 (Warren and Hunterdon)**  
**Assemblyman PAUL D. MORIARTY**  
**District 4 (Camden and Gloucester)**

**Co-Sponsored by:**

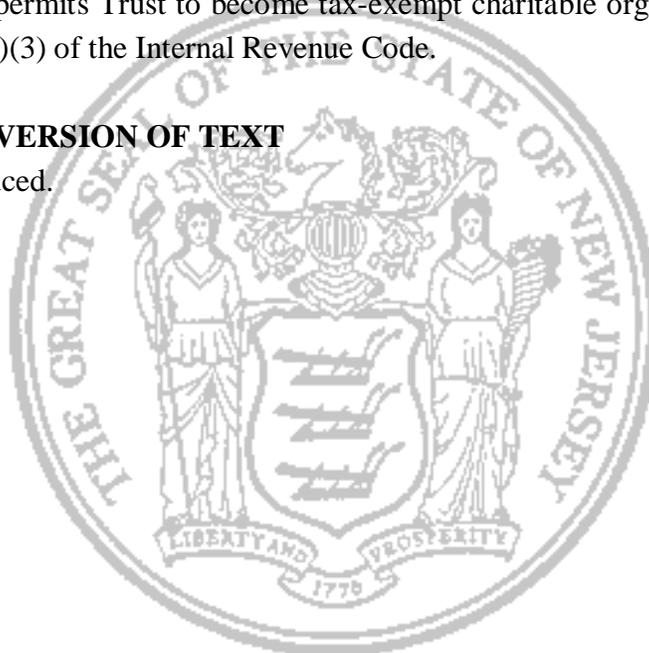
**Assemblymen Gusciora, Diegnan, Senators Buono, Beck, Gordon and Baroni**

**SYNOPSIS**

Permits New Jersey Historic Trust to charge fees for publications and access to seminars; permits Trust to become tax-exempt charitable organization under section 501(c)(3) of the Internal Revenue Code.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 1/8/2010)

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26 the trust;

27 d. cooperate with and assist, insofar as practicable, any agency  
28 of the State or any of its political subdivisions, and any private  
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4 of the State which cannot be supported entirely from funds  
5 available from either the Secretary of State or the Legislature to  
6 either the Commissioner of Community Affairs and the Legislature.

# ASSEMBLY TOURISM AND GAMING COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 3480

# STATE OF NEW JERSEY

DATED: FEBRUARY 9, 2009

The Assembly Tourism and Gaming Committee reports favorably on Assembly, No. 3480.

This bill amends the original legislation that created the New Jersey Historic Trust to authorize it to seek recognition as a charitable tax-exempt non-profit organization under section 501(c)(3) of the Internal Revenue Code. If the Trust is awarded non-profit status, donors of personal and real property would receive the maximum federal tax deduction allowable under the United States Internal Revenue Code for donations of gifts, legacies, bequests, endowments, real property, and personal property. This benefit would apply to donations to the Trust made through the New Jersey Legacy Program and the Perpetual Easement Program.

This bill also amends current law to allow the Trust to charge and collect fees for admittance to any conference, seminar, exhibition, symposium, or other event sponsored by the Trust for the purpose of promoting the preservation, improvement, restoration, rehabilitation, or acquisition of historic properties in the State. The Trust would also be authorized to recover costs associated with the publication and distribution of any book, treatise, research study, monograph, or other printed work that has been authored or commissioned by the Trust for the purpose of promoting the preservation, improvement, restoration, rehabilitation, or acquisition of historic properties in the State. The fees would be used to offset the costs incurred by the Trust in connection with the sponsorship of the conference or costs associated with reproducing a printed work. Any surplus fees would be deposited in the Trust's general fund.

Finally, this legislation transfers the authority for approving the Trust's receipt or acceptance of any moneys or other property which will result in the incurrence of any financial obligations on the part of the State which cannot be supported entirely from funds available in the Trust, from either the Secretary of State or the Legislature, to the Commissioner of Community Affairs and the Legislature.

This bill is identical to Senate, No. 2249.

# SENATE, No. 2249

## STATE OF NEW JERSEY 213th LEGISLATURE

INTRODUCED OCTOBER 16, 2008

**Sponsored by:**

**Senator BARBARA BUONO**

**District 18 (Middlesex)**

**Senator JENNIFER BECK**

**District 12 (Mercer and Monmouth)**

**Co-Sponsored by:**

**Senators Gordon and Baroni**

**SYNOPSIS**

Permits New Jersey Historic Trust to charge fees for publications and access to seminars; permits Trust to become tax-exempt charitable organization under section 501(c)(3) of the Internal Revenue Code.

**CURRENT VERSION OF TEXT**

As introduced.



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25 may receive as an incident to its operation to the general purpose of  
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28 of the State or any of its political subdivisions, and any private  
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**S2249 BUONO, BECK**

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5 available from either the Secretary of State or the Legislature to  
6 either the Commissioner of Community Affairs and the Legislature.

SENATE WAGERING, TOURISM & HISTORIC  
PRESERVATION COMMITTEE

STATEMENT TO

**SENATE, No. 2249**

**STATE OF NEW JERSEY**

DATED: DECEMBER 11, 2008

The Senate Wagering, Tourism & Historic Preservation Committee reports favorably Senate No. 2249.

This bill amends the original legislation that created the New Jersey Historic Trust to authorize it to seek recognition as a charitable tax-exempt non-profit organization under section 501(c)(3) of the Internal Revenue Code. If the Trust is awarded non-profit status, donors of personal and real property would receive the maximum federal tax deduction allowable under the United States Internal Revenue Code for donations of gifts, legacies, bequests, endowments, real property, and personal property. This benefit would apply to donations to the Trust made through the New Jersey Legacy Program and the Perpetual Easement Program.

This bill also amends current law to allow the Trust to charge and collect fees for admittance to any conference, seminar, exhibition, symposium, or other event sponsored by the Trust for the purpose of promoting the preservation, improvement, restoration, rehabilitation, or acquisition of historic properties in the State. The Trust would also be authorized to recover costs associated with the publication and distribution of any book, treatise, research study, monograph, or other printed work that has been authored or commissioned by the Trust for the purpose of promoting the preservation, improvement, restoration, rehabilitation, or acquisition of historic properties in the State. The fees would be used to offset the costs incurred by the Trust in connection with the sponsorship of the conference or costs associated with reproducing a printed work. Any surplus fees would be deposited in the Trust's general fund.

Finally, this legislation transfers the authority for approving the Trust's receipt or acceptance of any moneys or other property which will result in the incurrence of any financial obligations on the part of the State which cannot be supported entirely from funds available from either the Secretary of State or the Legislature to either the Commissioner of Community Affairs and the Legislature.