

**ASSEMBLY, No. 1775**

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**STATE OF NEW JERSEY**

**218th LEGISLATURE**

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PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

**Sponsored by:**

**Assemblyman ROBERT D. CLIFTON**

**District 12 (Burlington, Middlesex, Monmouth and Ocean)**

**SYNOPSIS**

Authorizes NJ Historical Commission to establish program to promote developing historic projects on website and collect donations for projects on behalf of historic site or organization.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** concerning the New Jersey Historical Commission and  
 2 historic projects, and amending and supplementing P.L.1999,  
 3 c.131.

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

7  
 8 1. Section 3 of P.L.1999, c.131 (C.18A:73-22.3) is amended to  
 9 read as follows:

10 3. a. The New Jersey Historical Commission within the  
 11 Department of State shall establish:

12 (1) A program for the purpose of awarding grants from the fund  
 13 established pursuant to subsection a. of section 4 of this act for  
 14 general operating support to public or private historical libraries,  
 15 history museums, historical societies, historic sites, historical  
 16 agencies of county or local governments, or any related agency or  
 17 organization; and

18 (2) A program for the purpose of awarding grants from the fund  
 19 established pursuant to subsection a. of section 4 of this act to  
 20 organizations, entities or individuals in support of research and  
 21 publication on New Jersey history.

22 b. (1) The commission shall develop guidelines and criteria for  
 23 each program established pursuant to subsection a. of this section.  
 24 The guidelines and criteria shall include, but not be limited to:  
 25 eligibility requirements for applicants; conditions under which  
 26 applications will be approved; conditions which may be required to  
 27 be met by approved applicants; forms for applications; application  
 28 contents; an application acceptance and review process; the manner  
 29 of awarding of monies to approved applicants; and oversight or  
 30 accountability for the expenditure of monies awarded to approved  
 31 applicants. The commission shall establish program guidelines and  
 32 criteria and advertise the programs in such a way as to develop a  
 33 pool of applicants that reflects the racial, ethnic, and geographical  
 34 diversity of the State.

35 (2) The commission shall develop the guidelines and criteria for  
 36 each program utilizing the definitions set forth in section 2 of this  
 37 act and in consultation with: Advocates for New Jersey History;  
 38 New Jersey State Archives; Association of New Jersey County  
 39 Cultural and Historic Agencies; Division of Parks and Forestry,  
 40 Department of Environmental Protection; Genealogical Society of  
 41 New Jersey; Historic Preservation Office, Department of  
 42 Environmental Protection; League of Historical Societies of New  
 43 Jersey; Newark Public Library; New Jersey Association of  
 44 Museums; New Jersey Caucus, Mid-Atlantic Regional Archives  
 45 Conference; New Jersey Council for the Humanities; New Jersey

**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 Council for the Social Studies; New Jersey Historic Trust; New  
2 Jersey Historical Society; New Jersey Library Association; New  
3 Jersey State Library; New Jersey State Museum; New Jersey  
4 Studies Academic Alliance; Northern New Jersey Museum Round  
5 Table; Preservation New Jersey; and Special Collections and  
6 University Archives, Rutgers University Libraries. In addition, the  
7 commission shall consult with at least three historians distinguished  
8 by their knowledge of New Jersey history and their record of  
9 publication in the field in developing the guidelines and criteria for  
10 the program established pursuant to paragraph (2) of subsection a.  
11 of this section.

12 c. (1) All applications received by the commission for grants  
13 to be awarded under the programs established pursuant to this  
14 section shall be reviewed and evaluated by a panel of reviewers  
15 selected by the commission. A separate panel of reviewers shall be  
16 selected for each program. The commission shall identify a pool of  
17 potential panel reviewers for each program and shall select from  
18 that pool the panel for each program to review the applications  
19 received for the program. Each panel shall be composed of persons  
20 who are experts in the area for which the program provides support.  
21 The panel of reviewers for each program shall evaluate each  
22 application received for a grant to be awarded under the program  
23 and make recommendations to the commission.

24 (2) The commission shall make the final decision on each  
25 application received, taking into consideration the recommendations  
26 of the panel of reviewers. The commission, may within its  
27 discretion, offer an approved applicant an award amount less than  
28 the amount requested by the applicant.

29 d. (1) The commission shall inform the public about the  
30 programs established pursuant to subsection a. of this section in a  
31 manner determined by the commission to result in as wide a  
32 dissemination of information as possible within the limits of  
33 monies available to the commission for this purpose. The  
34 commission may utilize such methods for the dissemination of  
35 information as may be available to State agencies for the  
36 dissemination of information on other such programs.

37 (2) At the request of the applicant, the commission shall provide  
38 advice, in any manner the commission deems appropriate, to  
39 interested applicants on the preparation of their applications.

40 e. The New Jersey Historical Commission shall assist any  
41 organization, entity, or individual seeking support pursuant to  
42 paragraph (2) of subsection a. of this section, in promoting an  
43 historic project pursuant to section 3 of P.L. , c. (C. )  
44 (pending before the Legislature as this bill).  
45 (cf: P.L.1999, c.131, s.3)

46  
47 2. (New section) In addition to the authority set forth pursuant  
48 to subsection (d) of N.J.S.18A:73-25, the New Jersey Historical

1 Commission shall accept and administer any gift or grant, donated  
2 pursuant to section 3 of P.L. , c. (C. ) (pending before the  
3 Legislature as this bill). Any gift or grant that is not used in  
4 accordance with the purposes set forth in section 3 of P.L. ,  
5 c. (C. ) (pending before the Legislature as this bill) shall be  
6 returned to the donor or refused. The Department of the Treasury  
7 shall provide the means by which donations may be made to the  
8 commission pursuant to this section and section 3 of P.L. ,  
9 c. (C. ) (pending before the Legislature as this bill).

10  
11 3. (New section) a. The New Jersey Historical Commission  
12 shall establish a program to help historic sites and organizations by  
13 periodically announcing and promoting an historic project of an  
14 historic site or organization on the commission's Internet website.  
15 This program shall be a creative platform to enable historic sites  
16 and organizations to gain exposure, generate funding, and leverage  
17 donations for their historic projects, through the commission, while  
18 historic sites and organizations may retain independence and  
19 ownership of the project. No offer of financial returns or equity, or  
20 solicitation of loans, shall be made in connection with any historic  
21 project.

22 b. The commission shall determine the qualifications necessary  
23 to be eligible for inclusion in the program, and evaluate and  
24 approve an historic site or organization and its developing project  
25 prior to promotion.

26 c. The program website shall provide for any visitor to the  
27 website a means to donate to a specific historic site or organization,  
28 or historic project. A gift or grant donated for the purposes of this  
29 section shall only be accepted by the commission on behalf of the  
30 historic site or organization. Any donation to an historic site or  
31 organization shall be used at the discretion of the historic site or  
32 organization accepting it and any donation to a specific historic  
33 project shall be used by the historic site or organization for the  
34 designated historic project.

35 d. The commission may request to monitor or oversee the  
36 progress of an historic project, as appropriate, and may require an  
37 historic site or organization to report progress on occasion. The  
38 commission shall not be responsible for ensuring the completion of  
39 a project. An historic or organization shall notify the commission,  
40 in writing, upon completion of a project.

41 e. The commission may collaborate, consult, or partner with an  
42 organization, including an Internet-based organization, that supports  
43 creative projects by fundraising and engaging the public at-large, in  
44 order to fulfill the mission of the program. The commission may  
45 also partner with, or contract for, such an organization to  
46 specifically announce or promote an historic site or organization  
47 and accept gifts or grants towards any developing project on behalf

1 of the historic site or organization in furtherance of the goals of this  
2 act.

3 f. As used in this section, an “historic site or organization”  
4 means an “historic site,” “historical society,” “historical library,”  
5 “history museum,” or a “related agency or organization,” as are  
6 defined pursuant to section 2 of P.L.1999, c.131 (C.18A:73-22.2),  
7 and an historical agency of local or county government.

8  
9 4. This act shall take effect immediately.

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12 STATEMENT

13  
14 This bill would authorize the New Jersey Historical Commission  
15 (“commission”) to establish a program to support New Jersey  
16 historic sites and organizations and collect donations for projects on  
17 their behalf.

18 Specifically, the commission would establish a program to help  
19 historic sites and organizations by announcing and promoting an  
20 historic project on the commission’s website. “Historic sites and  
21 organizations” include historic sites, historical societies, historical  
22 libraries, history museums, historical agencies of local or county  
23 government, and related not-for-profit agencies and organizations.

24 This program would be a creative platform to enable historic  
25 sites and organizations to gain exposure, generate funding, and  
26 leverage donations for their historic projects, through the  
27 commission, while retaining independence and ownership of the  
28 project. No offer of financial returns or equity, or solicitation of  
29 loans, would be made in connection with any historic project.

30 The program website would provide the means for any visitor to  
31 the website to donate to a specific historic site or organization, or  
32 specific historic project. A gift or grant donated for these purposes  
33 would only be accepted by the commission on behalf of an historic  
34 site or organization. Any donation to an historic site or  
35 organization would be used at the discretion of the historic site or  
36 organization accepting it and any donation to a specific historic  
37 project would be used by the historic site or organization for the  
38 designated historic project. The commission would be authorized to  
39 accept and administer gifts or grants to be used only in accordance  
40 with the purposes set forth in this bill, or they would be returned to  
41 the donor or refused. The Department of the Treasury would  
42 provide the means by which donations may be made to the  
43 commission.

44 Under the bill, the commission may request to monitor or  
45 oversee the progress of an historic project, as appropriate, and may  
46 require an historic site or organization to report progress on  
47 occasion; however, the commission would not be responsible for  
48 ensuring the completion of a project, nor would it investigate an

1 historic site or organizations' ability to complete a project. An  
2 historic site or organization would be required to notify the  
3 commission, in writing, upon completion of a project.  
4 Additionally, this bill would allow the commission to  
5 collaborate, consult, or partner with an organization, including an  
6 Internet-based organization (for example, a crowdsourcing or  
7 advocacy organization such as Kickstarter, Inc.), whose mission is  
8 to support creative projects by fundraising and engaging the public  
9 at-large. The commission may also partner with or contract for  
10 such an organization to specifically announce or promote New  
11 Jersey historic sites or organizations and accept gifts or grants  
12 towards a developing project on behalf of an historic site or  
13 organization in furtherance of the goals of this bill.