

ASSEMBLY, No. 966

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen ASSELTA, BLEE, Gibson and LeFevre

1 AN ACT establishing a tourism matching grant program in the Division
2 of Travel and Tourism in the Department of Commerce and
3 Economic Development, and making an appropriation.

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

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8 1. This act shall be known and may be cited as the "New Jersey
9 Tourism Matching Grant Act."

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11 2. As used in this act:

12 "Applicant" means any regional tourism council, county,
13 municipality, or tourism promotion organization applying for a tourism
14 grant pursuant to this act;

15 "Audit" means an independent certified audit stating the actual
16 financial position of the organization;

17 "Commissioner" means the Commissioner of the Department of
18 Commerce and Economic Development;

19 "Committee" means the Matching Grant Advisory Committee
20 created pursuant to section 7 of this act;

21 "Department" means the Department of Commerce and Economic
22 Development;

23 "Director" means the Director of the Division of Travel and
24 Tourism in the Department of Commerce and Economic Development;

25 "Division" means the Division of Travel and Tourism in the
26 Department of Commerce and Economic Development;

27 "Grant Coordinator" means the Coordinator of the Division of
28 Travel and Tourism Matching Grant Program;

29 "Grantee" means a regional tourism council, county, municipality,
30 or tourism promotion organization which has been awarded a grant
31 under the Tourism Matching Grant Program;

32 "Logo" means the promotional symbol authorized by the Division
33 of Travel and Tourism for use in promoting tourism and related
34 industries of the State of New Jersey;

35 "Non-eligible costs" means those costs for which a tourism grant
36 will not be awarded and are excluded from an applicant's total budget
37 calculation, and shall include, but need not be limited to: durable

1 equipment, capital investments, and the restoration or rehabilitation of
2 structures or buildings, except when these items are an integral part of
3 the proposed program or event; wages, payroll taxes and benefits for
4 employees for the program or event; administrative expenses such as
5 utility expenses, office space and equipment, postage, and office
6 supplies; personal service contracts; travel expenses, including
7 transportation costs, mileage, parking, lodging and per diem
8 (excluding familiarization tours); entertainment expenses; rent of
9 facilities (except travel show space); fireworks; and membership fees
10 (except those required for trade show participation);

11 "Regional tourism councils" means any or all of the six regional
12 tourism councils designated and created under the New Jersey
13 Tourism Master Plan by the Division of Travel and Tourism in the
14 Department of Commerce and Economic Development;

15 "Total budget" or "budget" means those costs for which a tourism
16 matching grant may be awarded pursuant to this act, and shall include,
17 but need not be limited to: media advertising; brochure development
18 printing and distribution; cooperative advertising programs; trade
19 show registration, fees and booth rental; travel missions (promotional
20 expenses only); familiarization tours (travel expenses only); trade show
21 promotions; distribution cost of promotional material; and promotional
22 specialty items; and

23 "Tourism promotional organization" means any non-profit
24 organization created pursuant to N.J.S.15A:1-1 et seq. including, but
25 not limited to, chambers of commerce, merchant business associations
26 and heritage, cultural or historic commissions.

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28 3. The Commissioner shall establish within the division a tourism
29 matching grant program for the period July 1, 1996 to June 30, 1997.
30 This program shall encourage regional tourism councils, counties,
31 municipalities and tourism promotion organizations, through the
32 issuance of matching grants to these entities, to engage in creative
33 promotional programs or events which complement State tourism
34 promotional efforts. These programs or events should also target
35 out-of-State markets and in-State markets that are in excess of 35
36 miles from the activity or outside the organization's designated
37 boundary, in order to increase travel from out-of-State and among the
38 State's regions.

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40 4. The grant program established pursuant to section 3 of this act
41 shall be open to all regional tourism councils, counties, municipalities,
42 and tourism programs that meet the requirements of this act. All
43 applications for the grant program that meet the program requirements
44 established by this act shall be given due consideration. A grant
45 awarded pursuant to this act shall not exceed 50 percent of the total
46 budget of the program or event.

1 5. a. An applicant shall be eligible to receive a tourism grant upon
2 receipt by the grant coordinator of a completed tourism matching
3 grant application containing the following:

- 4 (1) Proof of not-for-profit status and articles of incorporation;
5 (2) A copy of the applicant's last fiscal year, or most recent, audit
6 report demonstrating financial stability;
7 (3) An overall marketing plan;
8 (4) An overall program or event budget which includes the amount
9 requested and all other anticipated funds for the period covered by the
10 application, except that a county or municipality shall be required to
11 provide only the budget for the specific program or event for which
12 funding is being requested;
13 (5) A description of the applicant's organizational structure,
14 including the names and addresses of officers, directors and members;
15 (6) A copy of the applicant's constitution, or, if applicable,
16 by-laws; and
17 (7) Copies of letters of commitment or similar documentation
18 demonstrating the applicant's ability to pay for the portion of the
19 program or event budget not supported by a grant awarded pursuant
20 to this act.

21 b. The amount of funding requested by an applicant may not
22 exceed 50 percent of the total budget of the program or event. For the
23 purposes of this subsection, the "total budget of the program or event"
24 shall not include non-eligible costs.

25 c. An applicant shall not be awarded more than one grant in each
26 funding cycle. An applicant that has not met all terms and conditions
27 of a grant award shall not be eligible to receive a subsequent grant
28 award.

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30 6. Except as required pursuant to paragraph (4) of subsection a. of
31 section 5 of this act, counties and municipalities shall not be required
32 to provide the information required of applicants pursuant to
33 subsection a. of section 5 of this act.

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35 7. a. The division shall establish a Matching Grant Advisory
36 Committee which shall consist of:

- 37 (1) Three members of the Tourism Advisory Council, as
38 determined by the Council;
39 (2) The Deputy Commissioner of Commerce and Economic
40 Development or his or her designee;
41 (3) The Director of the Division of Travel and Tourism; and
42 (4) The chairpersons of the six regional tourism councils.

43 b. The committee shall evaluate each application on the following
44 factors and then rank all applications based upon the following criteria:

- 45 (1) Integration of the program or event into the overall State
46 tourism promotional program;

- 1 (2) Prominent use of the division's promotional logo;
- 2 (3) Program or event quality;
- 3 (4) The anticipated benefit to the region in which the program or
- 4 event is proposed;
- 5 (5) The amount of local support for the program or event;
- 6 (6) The amount of local funds raised during the previous year for
- 7 tourism programs;
- 8 (7) The scope of planning needed for the program or event; and
- 9 (8) The scope of local participation in the program or event.
- 10 c. Upon completion of the evaluation and ranking of grant
- 11 applications pursuant to subsection b. of this section, the committee
- 12 shall issue a report to the commissioner which shall include:
- 13 (1) A prioritized listing for recommended grant recipients; and
- 14 (2) A recommended amount for each grant.
- 15 d. Upon receipt of the report, the commissioner shall issue a final
- 16 decision as to the grant recipients and the amount of each grant. The
- 17 department shall notify in writing each grant recipient selected to
- 18 receive a grant award, and shall enclose a grant contract with the
- 19 notification providing a deadline for submission of the contract. The
- 20 commissioner may award grants on an incremental basis, such that a
- 21 grantee may be required to produce specific documents for periodic
- 22 reports as a condition of receiving the grant.
- 23
- 24 8. The department shall adopt, pursuant to the provisions of the
- 25 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
- 26 seq.), rules and regulations necessary to effectuate the purposes of this
- 27 act. These rules and regulations shall include time periods for
- 28 application submission, evaluation and actual distribution of grant
- 29 awards.
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- 31 9. a. Any grant funds not utilized by the grantee shall be returned
- 32 to the general grant pool and shall be available to other applicants or
- 33 to increase awards to other grantees.
- 34 b. Failure to submit a fully negotiated contract in a timely fashion,
- 35 properly signed and dated with all documentation required pursuant to
- 36 this act or to any rules or regulations adopted pursuant to this act, may
- 37 result in forfeiture of the grant by the grantee.
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- 39 10. The Commissioner shall submit to the President of the Senate,
- 40 the Speaker of the General Assembly, the chairman of the Senate
- 41 Natural Resources and Economic Development Committee or its
- 42 successor, and the chairman of the Assembly Senior Issues, Tourism
- 43 and Gaming Committee or its successor a report on the tourism
- 44 matching grant program no later than September 1, 1997.
- 45
- 46 11. There is appropriated to the Department of Commerce and

1 Economic Development from the General Fund \$315,000 for grants to
2 be made under this act. None of these moneys shall be used by the
3 department for administrative purposes.

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5 12. This act shall take effect immediately, except that section 11
6 shall take effect July 1, 1996, and the act shall expire September 1,
7 1997.

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12 "New Jersey Tourism Matching Grant Act"; appropriates \$315,000.