

105TH CONGRESS
2D SESSION

H. R. 4623

To amend title 36, United States Code, to grant a Federal charter to the
National Lighthouse Center and Museum.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 24, 1998

Mr. FOSSELLA (for himself, Mrs. KELLY, Mr. MANTON, Mr. ACKERMAN, Mr. KING, Mr. MEEKS of New York, Mr. SOLOMON, Mrs. MALONEY of New York, Mr. ENGEL, and Mr. GILMAN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 36, United States Code, to grant a Federal
charter to the National Lighthouse Center and Museum.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Lighthouse
5 Center and Museum Act”.

6 **SEC. 2. NATIONAL LIGHTHOUSE CENTER AND MUSEUM.**

7 Part B of subtitle II of title 36, United States Code,
8 is amended by inserting after chapter 1519 the following
9 new chapter:

1 **“CHAPTER 1520—NATIONAL LIGHTHOUSE**
 2 **CENTER AND MUSEUM**

“Sec.

“152001. Organization.

“152002. Purposes.

“152003. Operation of museum.

“152004. Membership.

“152005. Governing body.

“152006. Powers.

“152007. Restrictions.

“152008. Duty to maintain corporate and tax-exempt status.

“152009. Records and inspection.

“152010. Service of process.

“152011. Liability for acts of officers and agents.

“152012. Annual report.

“152013. Definitions.

3 **“§ 152001. Organization**

4 “(a) FEDERAL CHARTER.—The National Lighthouse
 5 Center and Museum, Inc., incorporated in New York, is
 6 a federally chartered corporation.

7 “(b) EXPIRATION OF CHARTER.—If the corporation
 8 does not comply with any provision of this chapter, the
 9 charter granted by this chapter expires.

10 **“§ 152002. Purposes**

11 “The purposes of the corporation are as provided in
 12 its certificate of incorporation and include—

13 “(1) broadening public appreciation and under-
 14 standing of the lighthouse heritage of the United
 15 States;

16 “(2) collecting, researching, and interpreting
 17 the history and technology of lighthouses;

18 “(3) creating an archive and fostering research
 19 of the history of lighthouses in the United States;

1 “(4) serving as a contact point for public in-
2 quiry and assistance regarding the history of light-
3 houses in the United States using state of the art
4 communication;

5 “(5) celebrating the lighthouse heritage of the
6 United States through educational seminars, publi-
7 cations, films, festivals, living history, lighthouse
8 trails, conferences, and other programs and mate-
9 rials;

10 “(6) supporting existing and future lighthouse
11 museums, organizations, and sites;

12 “(7) establishing relationships with other orga-
13 nizations to further the purposes of the corporation
14 under this section; and

15 “(8) engaging in any other lawful act or activity
16 necessary to further the purposes of the corporation
17 under this section.

18 **“§ 152003. Operation of museum**

19 “(a) IN GENERAL.—The corporation shall operate a
20 museum to be known as the National Lighthouse Center
21 and Museum at the site of the former United States
22 Lighthouse Depot located at what is now known as St.
23 George, Staten Island, New York.

24 “(b) STORAGE FACILITY.—The corporation shall op-
25 erate a storage facility located at or near the site described

1 in subsection (a) for the care, conservation, and maintenance of artifacts in the collection of the corporation.

3 “(c) SUPPORT TO OTHER MUSEUMS.—The corporation shall provide support to other museums that interpret the history of aids to navigation in the United States.

6 “(d) DESIGNATION OF COLLECTION.—The collection of artifacts of the National Lighthouse Center and Museum shall be known as the National Lighthouse Collection.

10 “(e) EXCLUSIVE RIGHT.—The corporation shall have the sole and exclusive right to use, in carrying out its purposes, the name ‘National Lighthouse Center and Museum’ and the sole and exclusive right to the use of its corporate seal, emblems, and badges as adopted by the corporation.

16 **“§ 152004. Membership**

17 “Eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws of the corporation.

20 **“§ 152005. Governing body**

21 “(a) BOARD OF DIRECTORS.—The board of directors of the corporation and the responsibilities of the board are as provided in the certificate of incorporation and the bylaws of the corporation.

1 “(b) OFFICERS.—The officers and the election of offi-
2 cers of the corporation are as provided in the bylaws of
3 the corporation.

4 **“§ 152006. Powers**

5 “The corporation has only the powers provided in its
6 bylaws and certificate of incorporation in the State of New
7 York and in the certificate of authority in any other State
8 in which the corporation is, or shall be, qualified to do
9 business.

10 **“§ 152007. Restrictions**

11 “(a) STOCK AND DIVIDENDS.—The corporation may
12 not issue stock or declare or pay a dividend.

13 “(b) POLITICAL ACTIVITIES.—The corporation or a
14 director or officer, acting as such director or officer, may
15 not contribute to, support, or participate in any political
16 activity or in any manner attempt to influence legislation.

17 “(c) DISTRIBUTION OF INCOME OR ASSETS.—The in-
18 come or assets of the corporation may not inure to the
19 benefit of, or be distributed to, a director, officer, or mem-
20 ber during the life of the charter granted by this chapter.
21 This subsection does not prevent the payment of reason-
22 able compensation to an officer or reimbursement for ac-
23 tual necessary expenses in amounts approved by the board
24 of directors.

1 “(d) LOANS.—The corporation may not make a loan
2 to a director, officer, or employee.

3 “(e) CLAIM OF GOVERNMENTAL APPROVAL OR AU-
4 THORIZATION.—The corporation may not claim congres-
5 sional approval or the authority of the United States Gov-
6 ernment for any of its activities.

7 **“§ 152008. Duty to maintain corporate and tax-ex-**
8 **empt status**

9 “(a) CORPORATE STATUS.—The corporation shall
10 maintain its corporate status as a corporation incor-
11 porated under the laws of the State of New York.

12 “(b) TAX-EXEMPT STATUS.—The corporation shall
13 maintain its status as an organization exempt from tax-
14 ation under the Internal Revenue Code of 1986 (26 U.S.C.
15 1 et seq.).

16 **“§ 152009. Records and inspection**

17 “(a) RECORDS.—The corporation shall keep—

18 “(1) correct and complete records of account;

19 “(2) minutes of the proceedings of its members,
20 board of directors, and committees; and

21 “(3) at its principal office, a record of the
22 names and addresses of its members entitled to vote,
23 if any.

24 “(b) INSPECTION.—Any officer or director, or any
25 member entitled to vote (if any), or an agent or attorney

1 of such officer, director, or member, may inspect the
2 records of the corporation for any proper purpose at any
3 reasonable time.

4 **“§ 152010. Service of process**

5 “The corporation shall comply with the law on service
6 of process of the State of New York and in each State
7 in which it carries on activities.

8 **“§ 152011. Liability for acts of officers and agents**

9 “The corporation is liable for the acts of its officers
10 and agents acting within the scope of their authority.

11 **“§ 152012. Annual report**

12 “The corporation shall submit an annual report to
13 Congress on the activities of the corporation during the
14 prior fiscal year. The report shall be submitted at the
15 same time as the report of the audit required by section
16 10101 of this title. The report may not be printed as a
17 public document.

18 **“§ 152013. Definitions**

19 “For purposes of this chapter—

20 “(1) the term ‘corporation’ means the National
21 Lighthouse Center and Museum, Inc., incorporated
22 in New York; and

23 “(2) the term ‘State’ includes the District of
24 Columbia and the territories and possessions of the
25 United States.”.

1 **SEC. 3. CLERICAL AMENDMENT.**

2 The table of chapters at the beginning of subtitle II
3 of title 36, United States Code, is amended by inserting
4 after the item relating to chapter 1519 the following new
5 item:

“1520. NATIONAL LIGHTHOUSE CENTER AND MUSEUM152001”.

