

[First Reprint]

ASSEMBLY, No. 3601

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MARCH 5, 2020

Sponsored by:

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Assemblywoman ANGELA V. MCKNIGHT

District 31 (Hudson)

Assemblywoman BRITNEE N. TIMBERLAKE

District 34 (Essex and Passaic)

Co-Sponsored by:

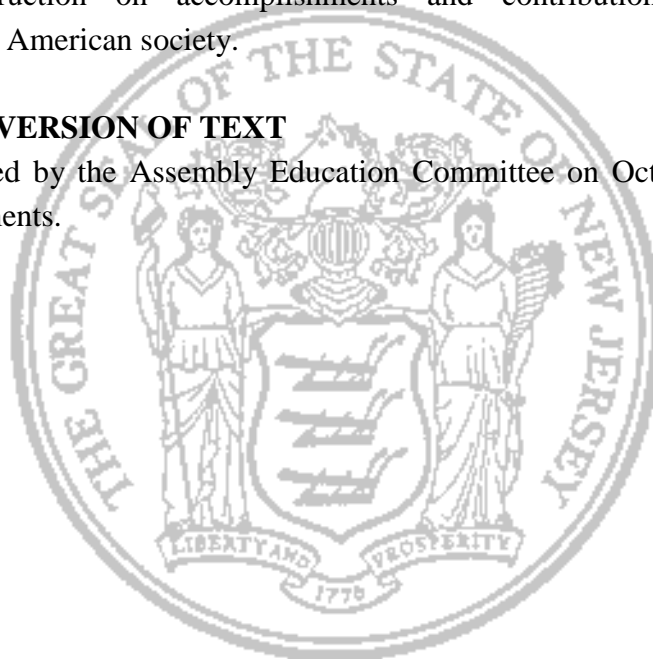
Assemblywomen Reynolds-Jackson, Jasey, Speight, Lampitt and Downey

SYNOPSIS

Allocates Amistad Commission in but not of DOE; requires commission to elect chairperson and appoint executive director; requires public schools to include instruction on accomplishments and contributions of African Americans to American society.

CURRENT VERSION OF TEXT

As reported by the Assembly Education Committee on October 22, 2020, with amendments.



(Sponsorship Updated As Of: 11/16/2020)

1 AN ACT concerning the Amistad Commission, amending P.L.2002,
2 c.75, ¹and¹ supplementing chapter 35 of Title 18A of the New
3 Jersey Statutes ¹【, and making an appropriation】¹.
4

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

7
8 1. Section 2 of P.L.2002, c.75 (C.52:16A-87) is amended to read
9 as follows:

10 2. a. The Amistad Commission, so named in honor of the group
11 of enslaved Africans led by Joseph Cinque who, while being
12 transported in 1839 on a vessel named the Amistad, gained their
13 freedom after overthrowing the crew and eventually having their case
14 successfully argued before the United States Supreme Court, is created
15 and established in the Executive Branch of the State Government. For
16 the purposes of complying with the provisions of Article V, Section
17 IV, paragraph 1 of the New Jersey Constitution, the commission is
18 allocated **【within the Department of State】** in but not of the
19 Department of Education, but notwithstanding this allocation, the
20 commission shall be independent of any supervision or control by the
21 department or any board or officer thereof.

22 ¹The executive director of the Amistad Commission shall submit
23 requests for the budget of the Amistad Commission directly to the
24 Governor who shall review the requests and forward them to the
25 Division of Budget and Accounting in the Department of the
26 Treasury.¹ State support for the operations of the Amistad
27 Commission shall be appropriated by the Legislature to the
28 commission through a separate line item in the annual appropriations
29 act.

30 The commission shall consist of **【23】** 22 members, including **【the**
31 **Secretary of State or a designee,】** the Commissioner of Education or a
32 designee, who shall serve as a voting member, and the chair of the
33 executive board of the Presidents' Council or a designee, serving ex
34 officio, two members of the Senate or their designees, no more than
35 one of whom shall be of the same political party, appointed by the
36 President of the Senate to serve as **【non-voting】** voting members for
37 the two-year legislative term during which they are appointed, two
38 members of the General Assembly or their designees, no more than
39 one of whom shall be of the same political party, appointed by the
40 Speaker of the General Assembly to serve as **【non-voting】** voting
41 members for the two-year legislative term during which they are
42 appointed, and 16 public members.

43 Public members, all of whom shall serve as voting members, shall
44 be appointed as follows: four public members, no more than two of

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.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AED committee amendments adopted October 22, 2020.

1 whom shall be of the same political party, shall be appointed by the
2 President of the Senate; four public members, no more than two of
3 whom shall be of the same political party, shall be appointed by the
4 Speaker of the General Assembly; and eight public members, no more
5 than four of whom shall be of the same political party, shall be
6 appointed by the Governor. The public members shall be residents of
7 this State, chosen with due regard to broad geographic representation
8 and racial and ethnic diversity, who have an interest in the history of
9 the African slave trade and slavery in America and the
10 accomplishments, experiences, and contributions of African-
11 Americans to our society.

12 b. Each public member of the commission shall serve for a term
13 of three years, except that of the initial members so appointed: one
14 member appointed by the President of the Senate, one member
15 appointed by the Speaker of the General Assembly, and two members
16 appointed by the Governor shall serve for terms of one year; one
17 member appointed by the President of the Senate, one member
18 appointed by the Speaker of the General Assembly, and three members
19 appointed by the Governor shall serve for terms of two years; and two
20 members appointed by the President of the Senate, two members
21 appointed by the Speaker of the General Assembly, and three members
22 appointed by the Governor shall serve for terms of three years. Public
23 members shall be eligible for reappointment. They shall serve until
24 their successors are appointed and qualified, and the term of the
25 successor of any incumbent shall be calculated from the expiration of
26 the term of that incumbent. A vacancy occurring other than by
27 expiration of term shall be filled in the same manner as the original
28 appointment but for the unexpired term only.

29 c. The members of the commission shall serve without
30 compensation but shall be entitled to reimbursement for all necessary
31 expenses incurred in the performance of their duties.

32 d. The **【**Secretary of State, or a designee, shall serve as the chair
33 and the Commissioner of Education, or a designee, shall serve as the
34 vice-chair of the**】** commission shall annually elect a chairperson and a
35 vice-chairperson from among its members. The commission shall
36 meet upon the call of the chairperson or of a majority of the
37 commission members. The presence of a majority of the authorized
38 voting membership of the commission shall be required for the
39 conduct of official business.

40 e. **【**The New Jersey Historical Commission shall serve as staff for
41 the Amistad Commission. The New Jersey Historical Commission
42 may, subject to the availability of appropriations, hire additional staff
43 and consultants to carry out the duties and responsibilities of the
44 Amistad Commission.**】** The commission shall interview and appoint
45 an executive director, who shall serve at its pleasure and shall be a
46 person qualified by training and experience to perform the duties of
47 the office. The commission shall approve all Amistad personnel job
48 descriptions and all persons recommended for employment by its

1 executive director. ¹【The Department of Education shall provide any
2 additional staff that the Amistad Commission may deem necessary.】¹

3 f. The 【Department of Education】 Amistad Commission shall:

4 (1) 【assist the Amistad Commission in marketing and distributing】
5 market and distribute to educators, administrators and school districts
6 in the State educational information and other materials on the African
7 slave trade, slavery in America, the vestiges of slavery in this country
8 and the contributions of African-Americans to our society;

9 (2) conduct 【at least one】 teacher 【workshop】 workshops
10 annually on the African slave trade, slavery in America, the vestiges of
11 slavery in this country and the accomplishments, experiences, and
12 contributions of African-Americans to our society, covering
13 information which often has been omitted from traditional curricula;

14 (3) 【assist the Amistad Commission in monitoring】 monitor and
15 assess the inclusion of such materials and curricula in the State's
16 educational system; and

17 (4) 【consult with the Amistad Commission to determine ways it
18 may】 survey, catalog, and 【extend】 recommend to the State Board of
19 Education the expansion of content about slave trade 【and】 ,
20 American slavery education , and African-American history presently
21 being incorporated into the 【Core Curriculum Content Standards】
22 New Jersey Student Learning Standards and taught in the State's
23 educational system , the purpose of which is to ensure that all New
24 Jersey students acquire a broad and deep knowledge of all people who
25 contributed to the founding and development of New Jersey and the
26 United States and to promote the self-esteem, confidence, and identity
27 of students who previously may not have learned about past and living
28 examples of people of their own cultural identity who have had
29 positive impacts upon the American story.

30 (cf: P.L.2004, c.94, s.1)

31

32 2. (New section) As used in P.L.2002, c.75 (C.52:16A-86 et seq.)
33 ¹and P.L. , c. (C.) (pending before the Legislature as this bill)¹,
34 “African American” means all people of African descent in the United
35 States.

36

37 3. (New section) The Legislature finds and declares that:

38 a. Since the days of slavery, public school curricula have
39 consistently omitted or misrepresented the history of African
40 Americans.

41 b. To correct these omissions, all public schools in the State of
42 New Jersey should include instruction that infuses into all courses
43 on the United States, the centuries of contributions and
44 accomplishments by African Americans in the building and
45 development of America.

46 c. The Amistad Commission, created pursuant to P.L.2002,
47 c.75 (C.52:16A-86 et seq.), is responsible for designing and

1 promoting the implementation of education and awareness
2 programs in New Jersey concerned with slavery in America and the
3 contributions of African Americans, and for developing curriculum
4 guidelines for the teaching of this information. The Amistad
5 Commission is an ideal agency to recommend curricular materials
6 to school districts.

7
8 4. (New section) a. Every board of education shall include, in
9 the curriculum of all elementary and secondary school students,
10 instruction that infuses into all courses on the United States, the
11 centuries of accomplishments by African Americans in the building
12 and development of America including, but not limited to, the areas of
13 industry, military, government, and the professions; local
14 communities; math, science, medicine, and space; architecture and the
15 arts; social institutions and culture; and other aspects of life in
16 America.

17 b. The instruction shall enable students to identify and analyze
18 applicable theories concerning human nature and behavior; to know
19 and understand the nation's heritage of slavery and freedom; to know
20 and understand the impact of African diasporic cultures and
21 institutions on the Americas; to know and understand the contributions
22 of African Americans to all areas of American society throughout its
23 history, beginning with the colonial period; to know and understand
24 that inequality is a consequence of prejudice and discrimination in the
25 pursuit of maintaining power and dominance over certain portions of
26 society; to know and understand citizenship and disenfranchisement;
27 and to understand that issues of moral dilemma and conscience have a
28 profound impact on the nation and the self-image and self-realization
29 of its entire population, especially the personal and civic development
30 of students in grades kindergarten through 12. The instruction shall
31 also emphasize the personal responsibility of each citizen to fight
32 racism and hatred whenever and wherever it happens and to uphold the
33 national ideals of freedom and justice for all.

34 c. The Department of Education shall work with the Amistad
35 Commission to ensure that all department assessment tools for New
36 Jersey schools are inclusive of the curricular requirements established
37 pursuant to this section.

38 ¹【d. As used in this act, "African American" means all people of
39 African descent in the United States.】¹

40
41 ¹【5. There is appropriated from the General Fund to the
42 Department of Education for the Amistad Commission the sum of
43 \$400,000 to effectuate the provisions of this act.】¹

44
45 ¹【6.】5.¹ This act shall take effect immediately.