

ASSEMBLY, No. 4706

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED SEPTEMBER 21, 2020

Sponsored by:

Assemblyman ANTWAN L. MCCLELLAN
District 1 (Atlantic, Cape May and Cumberland)
Assemblywoman CLEOPATRA G. TUCKER
District 28 (Essex)
Assemblywoman ANGELA V. MCKNIGHT
District 31 (Hudson)

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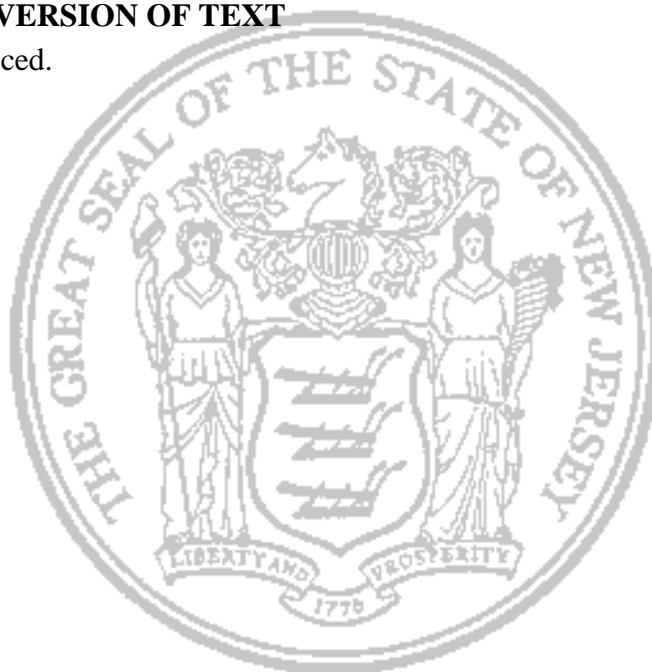
Assemblywoman Reynolds-Jackson, Assemblyman Simonsen,
Assemblywomen Stanfield, Vainieri Huttle and Assemblyman Houghtaling

SYNOPSIS

Requires Division of Travel and Tourism establish Black Heritage Trail; establishes NJ Black Cultural and Heritage Commission.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 3/8/2021)

1 AN ACT establishing a Black Heritage Trail and supplementing
2 chapter 16A of Title 52 of the Revised Statutes.

3

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

6

7 1. a. As used in this act:

8 “Black heritage site” or “heritage site” means a location where
9 items of political, military, artistic, cultural, or social history have
10 been preserved due to their cultural heritage value to the State. The
11 locations shall include, but need not be limited to, locations related
12 to Black educators, journalists, scientists, physicians, lawyers,
13 artists, or humanitarians who have contributed to the development
14 or advancement of this State, the United States, or Black
15 communities throughout the world.

16 “Black Heritage Trail” means a series of Black heritage sites
17 identified by the division, which may be linked by geographic
18 proximity and alignment, thematic consistency, and historical
19 consistency.

20 “Director” means the Director of the Division of Travel and
21 Tourism in the Department of State.

22 “Division” means the Division of Travel and Tourism in the
23 Department of State.

24 “Historical marker” means a marker, plaque, or tablet
25 commemorating a historic person, place, or event or identifying a
26 historic place, structure, or object.

27 b. In addition to the powers and duties of the division as
28 provided in section 9 of P.L.1977, c.225 (C.34:1A-53), the division
29 shall, in consultation with the New Jersey Black Cultural and
30 Heritage Commission, established pursuant to section 3 of P.L. , c.
31 (C.) (pending before the Legislature as this bill), identify a series
32 of Black heritage sites to be part of a New Jersey Black Heritage
33 Trail. The division may seek the assistance and cooperation of the
34 New Jersey Historic Preservation Office, the New Jersey Historical
35 Commission, local government officials or entities, owners or
36 operators of Black heritage sites, and entities that identify and
37 compile data on historical trails, sites, or memorials to aid in
38 effectively carrying out the purposes of this act. The purpose of the
39 New Jersey Black Heritage Trail shall be to promote awareness and
40 appreciation of Black history, heritage, and culture in the State
41 through education, public programs, and historical markers. The
42 New Jersey Black Heritage Trail shall highlight Black heritage sites
43 through historical markers and a trail-like path that connect the
44 stories of Black life and resiliency in the State. The division shall
45 ensure that as many Black heritage sites in the State as practical are
46 included in the New Jersey Black Heritage Trail. In identifying
47 specific Black heritage sites to be included in the New Jersey Black
48 Heritage Trail, special consideration shall be given to Black

1 heritage sites that are in close geographic proximity to other Black
2 heritage sites or thematically linked by surrounding arts, cultural,
3 historical, entertainment, or other tourism destinations or exhibits of
4 interest to tourists interested in Black heritage sites. The New
5 Jersey Black Heritage Trail shall be inclusive of all eras as well as
6 be geographically representative of the entire State.

7 c. The division shall:

8 (1) determine and select such sites significant to Black history,
9 heritage, and culture in this State that the division determines
10 should be a part of the New Jersey Black Heritage Trail and shall
11 mark each site with a suitable historical marker;

12 (2) design, purchase, and erect historical markers which the
13 division may decide to be appropriate at such sites, indicating
14 thereon the persons, places, or events commemorated and having
15 such other suitable inscription as the division may deem necessary;
16 and

17 (3) keep in good repair all historical markers that are a part of
18 the New Jersey Black Heritage Trail erected by the division.

19 d. All historical markers on the New Jersey Black Heritage Trail
20 that are erected by the division shall be the property of the State.
21 No person, entity, or business shall possess, transport, alter, or
22 remove a marker without written authority of an appropriate official
23 of the division. No person, entity, or business shall receive, retain,
24 alter, or dispose of the historical markers without written
25 authorization of an appropriate official of the division.

26 e. The division may establish rules or regulations regarding all
27 aspects of the historical markers associated with the New Jersey
28 Black Heritage Trail. Other persons, entities, or businesses shall
29 not duplicate the historical markers, or create, obtain, or install
30 similar markers with an intent to mislead or deceive the public.

31

32 2. a. The division shall develop and maintain an Internet site
33 providing information on the New Jersey Black Heritage Trail and
34 Black heritage sites in the State. The information on the Internet
35 site shall be searchable and available as a list and as an interactive
36 map, and shall:

37 (1) specify the location of each heritage site included on the New
38 Jersey Black Heritage Trail and provide driving directions from the
39 north, south, east, and west, as well as directions by public transit
40 where applicable;

41 (2) provide information about whether the heritage site offers
42 guided tours, the frequency of tours, and the hours during which
43 tours are conducted;

44 (3) display photographs of each heritage site;

45 (4) inform visitors that the heritage site is part of the New Jersey
46 Black Heritage Trail developed pursuant to section 1 of P.L. , c.
47 (C.) (pending before the Legislature as this bill); and

1 (5) provide contact information for the owner or operator of
2 each heritage site, including the telephone number and Internet site
3 address of the heritage site if one exists.

4 b. The division shall develop and publish on its Internet site
5 vacation itineraries based on the New Jersey Black Heritage Trail
6 developed pursuant to section 1 of P.L. , c. (C.) (pending
7 before the Legislature as this bill), which shall identify for visitors
8 surrounding attractions, restaurants, lodging, and other exhibits or
9 places of entertainment in close proximity to the Black heritage
10 sites on the New Jersey Black Heritage Trail. The division may
11 solicit information from local government officials or entities, the
12 owners or operators of Black heritage sites, and entities that identify
13 and compile data on historical trail, sites, or memorials in the
14 development of vacation itineraries.

15 c. In addition to publishing the information required in
16 subsections a. and b. of this section, the division may distribute the
17 information by any other method it deems appropriate.

18 d. The division shall accept submissions from the public
19 recommending, for inclusion on the New Jersey Black Heritage Trail,
20 heritage sites not owned, operated, or maintained by a governmental
21 entity through an electronic submission form made available by the
22 division on its Internet site. The division may include heritage sites
23 not owned, operated, or maintained by a governmental entity on the
24 New Jersey Black Heritage Trail, as it deems appropriate.

25 e. The director shall ensure that the Internet site is updated
26 whenever a new Black heritage site is established. The division
27 may accept information or changes to the Internet site from the New
28 Jersey Historic Preservation Office, the New Jersey Historical
29 Commission, local government officials and entities, owners or
30 operators of heritage sites in the State, entities that identify and
31 compile data on historical trails, sites, or memorials, or the public
32 through an electronic submission form made available by the
33 division on its Internet site.

34

35 3. a. There is created in, but not of, the Department of State a
36 commission to be known as the “New Jersey Black Cultural and
37 Heritage Commission.” The commission shall be independent of
38 any supervision or control by the Department of State except as
39 expressly authorized under this act, P.L. , c. (C.) (pending
40 before the Legislature as this bill).

41 b. The commission shall consist of 11 members, of whom:

42 (1) two members of the Senate shall be appointed, one each, by
43 the President and Minority Leader of the Senate;

44 (2) two members of the General Assembly shall be appointed,
45 one each, by the Speaker and Minority Leader of the General
46 Assembly; and

47 (3) seven public members shall be appointed by the Governor,
48 of whom one shall serve as chairperson. The public members shall

1 be residents of the State, shall represent the various geographical
2 areas of the State, and shall be representatives of Black arts, history,
3 or culture organizations or be persons having knowledge of,
4 expertise in, or a commitment to the collection, recordation, and
5 preservation of the history, heritage, and culture of Black people in
6 New Jersey.

7 c. Members of the commission shall be appointed not later than
8 60 days after the effective date of this act and shall hold their initial
9 meeting as soon as practicable, but no later than 30 days following
10 the appointment of a majority of its authorized membership. The
11 members shall elect one of the public members to serve as
12 chairperson and one of the members to serve as vice-chairperson.
13 The chairperson may appoint a secretary, who need not be a
14 member of the commission. Public members shall serve for a term
15 of two years, except that four of the initial members appointed by
16 the Governor shall serve for a term of one year. Legislative
17 members and public members shall be eligible for reappointment.
18 The public members of the commission shall serve until their
19 successors are appointed and qualified, and the term of the
20 successor of any incumbent public member shall be calculated from
21 the expiration of the term of that incumbent. A vacancy occurring
22 other than by expiration of the term shall be filled in the same
23 manner as the original appointment but for the unexpired term only.
24 Members of the commission shall serve without compensation, but
25 may be reimbursed for necessary expenses incurred in the
26 performance of their duties.

27 d. The commission shall meet at the call of the chairperson. The
28 commission shall hold at least one public hearing each in the north,
29 central, and southern regions of the State annually at such times and
30 places as the chairperson shall designate. A meeting of the
31 commission may be called upon the request of six of the members
32 and six members of the commission shall constitute a quorum at
33 any meeting thereof. The commission may conduct business
34 without a quorum, but shall only vote on recommendations or
35 actions when a quorum is present.

36 e. The Department of State shall provide primary staff support
37 to the commission. The commission shall be entitled to call upon
38 any department, office, division, or agency of this State to supply
39 the commission with any information, personnel, or assistance it
40 deems necessary for its purposes. Each department, office,
41 division, or agency of the State shall cooperate with the commission
42 and furnish it with such information, personnel, or assistance as
43 may be necessary for the commission to discharge its duties.

44

45 4. a. The purpose of the New Jersey Black Cultural and
46 Heritage Commission is to promote awareness and appreciation of
47 Black history, heritage, and culture in the State through education

1 and public programs, including the creation of appropriate
2 memorials at significant locations within the State.

3 b. The New Jersey Black Cultural and Heritage Commission
4 shall:

5 (1) assist the Division of Travel and Tourism in establishing and
6 maintaining the New Jersey Black Heritage Trail;

7 (2) develop, coordinate, and advise the Governor and Legislature
8 of Statewide activities in recognition of Black history, heritage, and
9 culture;

10 (3) establish programs designed to educate the residents of the
11 State about persons, places, or events significant to Black history,
12 heritage, and culture in New Jersey;

13 (4) meet with other groups and organizations in order to
14 coordinate events and seek volunteers who are willing to donate
15 their talents to promote awareness and appreciation of Black
16 history, heritage, and culture in order to build more inclusive
17 communities in New Jersey; and

18 (5) apply for grants and receive donations, through fund-raising
19 activities and contributions, from individuals and public and private
20 organizations in order to carry out its purpose with regard to the
21 history, heritage, and culture of Black life and resiliency in New
22 Jersey.

23 c. The commission shall prepare and submit a report to the
24 Governor and, pursuant to section 2 of P.L.1991, c.164 (C.52:14-
25 19.1), the Legislature no later than the 365th day following the
26 initial meeting of the commission and on or before June 30 of each
27 year thereafter. The report shall contain information on establishing
28 and maintaining the New Jersey Black Heritage Trail, education and
29 public programs concerning Black history, heritage, and culture in
30 the State, and any findings, activities, and recommendations for
31 promoting awareness and appreciation of Black history, heritage,
32 and culture in New Jersey.

33

34 5. This act shall take effect immediately.

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STATEMENT

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39 This bill directs the Division of Travel and Tourism in the
40 Department of State to identify, in consultation with the New Jersey
41 Black Cultural and Heritage Commission, established under the bill,
42 a series of Black heritage sites to be part of a New Jersey Black
43 Heritage Trail. The purpose of the Black Heritage Trail would be to
44 promote awareness and appreciation of Black history, heritage, and
45 culture in the State through education, public programs, and
46 historical markers. The Black Heritage Trail would highlight Black
47 heritage sites through historical markers and a trail-like path that
48 connect the stories of Black life and resiliency in the State.

1 The bill requires that the Black heritage sites along the Black
2 Heritage Trail be geographically linked by relevant arts, cultural,
3 historical, entertainment, or other tourism destinations. Under this
4 bill, the division would develop and maintain an interactive Internet
5 site providing information concerning Black heritage sites in the
6 State. The division is required to update the Internet site whenever
7 local government officials or entities, the owners or operators of
8 Black heritage sites, or entities that identify and compile data on
9 historical trails, sites, or memorials notify the division of new Black
10 heritage sites. The Internet site would also provide vacation
11 itineraries based on the Black Heritage Trail, which would identify
12 surrounding attractions, restaurants, lodging, and other exhibits or
13 places of entertainment along the trail.

14 Under the bill, the New Jersey Black Cultural and Heritage
15 Commission is created in, but not of, the Department of State to
16 promote awareness and appreciation of Black history, heritage, and
17 culture in the State through education and public programs
18 including the creation of appropriate memorials at significant
19 locations within the State. The commission would consist of 11
20 members, of whom: two members of the Senate would be
21 appointed, one each, by the President and Minority Leader of the
22 Senate; two members of the General Assembly would be appointed,
23 one each, by the Speaker and Minority Leader of the General
24 Assembly; and seven public members would be appointed by the
25 Governor. The public members are required to be residents of the
26 State, represent the various geographical areas of the State, and be
27 representatives of Black arts, history, or culture organizations or be
28 persons having knowledge of, expertise in, or a commitment to the
29 collection, recordation, and preservation of the history and culture
30 of Black people in New Jersey.

31 For nearly 400 years, the lives of African people and their
32 descendants have been a part of New Jersey's history. Black
33 history, heritage, and culture has long been hidden in the shadows
34 even though so many Black lives have left an indelible mark on
35 New Jersey industry, culture, and arts. This bill establishes a
36 heritage trail and a cultural heritage commission that will connect
37 the stories of New Jersey's African heritage by documenting and
38 making visible many of the heritage sites that testify to this rich
39 history.