

SENATE, No. 2970

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED SEPTEMBER 24, 2020

Sponsored by:
Senator BRIAN P. STACK
District 33 (Hudson)

SYNOPSIS

Replaces Columbus Day with Indigenous Peoples' Day as public holiday.

CURRENT VERSION OF TEXT

As introduced.

WITHDRAWN



- 1 **AN ACT** replacing Columbus Day with Indigenous Peoples' Day
2 and amending various sections of statutory law.
3
- 4 **WHEREAS**, Indigenous Peoples' Day was first proposed in 1977 by a
5 delegation of Native Americans to the United Nations International
6 Conference on Discrimination against Indigenous Populations in
7 the Americas and serves as a way to honor and recognize the
8 unique contributions made by indigenous people to our nation; and
9 **WHEREAS**, South Dakota became the first state to officially recognize
10 Indigenous Peoples' Day in 1990 with hundreds of municipalities
11 and 14 states now observing the day each year; and
12 **WHEREAS**, Some of these jurisdictions have replaced Columbus Day
13 with Indigenous Peoples' Day while others observe it in addition to
14 Columbus Day; and
15 **WHEREAS**, A majority of states, along with the federal government,
16 continue to recognize Columbus Day each year on the second
17 Monday of October; and
18 **WHEREAS**, Columbus Day remains a public holiday in New Jersey;
19 and
20 **WHEREAS**, The City of Newark became the first municipality in New
21 Jersey to replace Columbus Day with Indigenous Peoples' Day in
22 2017 while Princeton became the second to do so in 2019; and
23 **WHEREAS**, Although at one time a widely celebrated figure of
24 American history, Christopher Columbus's legacy has become
25 controversial as his harsh treatment of indigenous people has
26 become more widely known; and
27 **WHEREAS**, In his voyages to the New World, Columbus and his men
28 inflicted violence on the indigenous people of the Caribbean while
29 inadvertently bringing many new diseases that decimated native
30 populations; and
31 **WHEREAS**, For some, Columbus has come to signify the beginning of
32 European colonization and conquest of the Americas; and
33 **WHEREAS**, Prior to arrival of the Europeans, the area now known as
34 New Jersey was first settled over 10,000 years ago by the Lenape, a
35 confederation of Algonquian-speaking people whose lands also
36 included present-day Delaware, Pennsylvania, and New York; and
37 **WHEREAS**, Over time, Lenape tribal lands were lost as a result of
38 European settlement and the Lenape soon found themselves moving
39 westward to Ohio, Indiana, and Kansas before eventually being
40 removed to Oklahoma in the late-1860s; and
41 **WHEREAS**, Along the way, the Lenape faced cultural suppression,
42 forced assimilation, and devastation of their population through the
43 spread of disease; and
44 **WHEREAS**, Currently, three indigenous tribes are recognized in the
45 State: the Nanticoke Lenni Lenape of Cumberland and Salem

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 Counties, the Powhatan Renape of Burlington County, and the
2 Ramapough Lenape of Mahwah and Ringwood; and

3 **WHEREAS**, Nearly 20,000 New Jerseyans belong to one of these tribes
4 while 50,000 more belong to tribes recognized in other
5 jurisdictions; and

6 **WHEREAS**, The legacy of indigenous people continues to live on here
7 in New Jersey as many cities and towns throughout our State bear
8 names derived from native languages such as Weehauken,
9 Hopatcong, Totowa, Watchung, Hackensack, Manasquan, and
10 Pennsauken, among many others; and

11 **WHEREAS**, Despite these reminders of our State's indigenous past, this
12 part of our history and culture remains overlooked and
13 underappreciated as annual observances of Columbus Day do not
14 sufficiently acknowledge the plight of indigenous people and
15 celebrate their contributions to our society; and

16 **WHEREAS**, In recognition of New Jersey's indigenous heritage and to
17 foster a greater sense of inclusivity toward indigenous people, it is
18 fitting and proper to replace Columbus Day with Indigenous
19 Peoples' Day; now, therefore,

20

21 **BE IT ENACTED** by the Senate and General Assembly of the State
22 of New Jersey:

23

24 1. Section 25 of P.L.2008, c.89 (C.11A:6-24.1) is amended to
25 read as follows

26 25. a. Paid holidays granted to all State government employees
27 each calendar year shall be limited to the following:

28 (1) January 1, known as New Year's Day;

29 (2) the third Monday in January, known as Martin Luther King's
30 Birthday;

31 (3) the third Monday in February, known as Washington's
32 Birthday, which shall be known and celebrated as Presidents Day in
33 this State;

34 (4) the day designated and known as Good Friday;

35 (5) the last Monday in May, known as Memorial Day;

36 (6) July 4, known as Independence Day;

37 (7) the first Monday in September, known as Labor Day;

38 (8) the second Monday in October, known as **【Columbus Day】**
39 Indigenous Peoples' Day;

40 (9) November 11, known as Armistice Day or Veterans' Day;

41 (10) the fourth Thursday in November, known as Thanksgiving
42 Day;

43 (11) December 25, known as Christmas Day; and

44 (12) any general election day in this State.

45 b. The provisions of this section shall not impair any collective
46 bargaining agreement or contract in effect on the effective date of
47 P.L.2008, c.89. The provision of this section shall take effect in the
48 calendar year following the expiration of the collective bargaining

1 agreements or contracts covering a majority of the Executive
2 Branch employees in effect on the effective date of P.L.2008, c.89.
3 (cf: P.L.2008, c.89, s.25)

4
5 2. N.J.S.18A:36-13 is amended to read as follows:

6 18A:36-13. Appropriate exercises for the development of a
7 higher spirit of patriotism shall be held in all public schools on the
8 last school day preceding Washington's Birthday (also celebrated as
9 President's Day), Decoration or Memorial Day, **【Columbus Day】**
10 Indigenous Peoples' Day, and Veterans Day.
11 (cf: P.L.2007, c.42, s.7)

12
13 3. R.S.36:1-1 is amended to read as follows:

14 36:1-1. a. The following days in each year shall, for all
15 purposes whatsoever as regards the presenting for payment or
16 acceptance, and of the protesting and giving notice of dishonor, of
17 bills of exchange, bank checks and promissory notes be treated and
18 considered as the first day of the week, commonly called Sunday,
19 and as public holidays, except as provided under subsection d. of
20 this section: January 1, known as New Year's Day; the third
21 Monday in January, known as Martin Luther King's Birthday;
22 February 12, known as Lincoln's Birthday; the third Monday in
23 February, known as Washington's Birthday; the day designated and
24 known as Good Friday; the last Monday in May, known as
25 Memorial Day; July 4, known as Independence Day; the first
26 Monday in September, known as Labor Day; the second Monday in
27 October, known as **【Columbus Day】** Indigenous Peoples' Day;
28 November 11, known as Armistice Day or Veterans' Day; the fourth
29 Thursday in November, known as Thanksgiving Day; December 25,
30 known as Christmas Day; any general election day in this State;
31 every Saturday; and any day heretofore or hereafter appointed,
32 ordered or recommended by the Governor of this State, or the
33 President of the United States, as a day of fasting and prayer, or
34 other religious observance, or as a bank holiday or holidays. All
35 such bills, checks and notes, otherwise presentable for acceptance
36 or payment on any of the days herein enumerated, shall be deemed
37 to be payable and be presentable for acceptance or payment on the
38 secular or business day next succeeding any such holiday.

39 b. Whenever any of the days herein enumerated can and shall
40 fall on a Sunday, the Monday next following shall, for any of the
41 purposes herein enumerated be deemed a public holiday, except as
42 provided under subsection d. of this section; and bills of exchange,
43 checks and promissory notes which otherwise would be presentable
44 for acceptance or payment on such Monday shall be deemed to be
45 presentable for acceptance or payment on the secular or business
46 day next succeeding such holiday.

47 c. In construing this section, every Saturday shall, until 12
48 o'clock noon, be deemed a secular or business day, except as is

1 hereinbefore provided in regard to bills of exchange, bank checks
2 and promissory notes, and the days herein enumerated except bank
3 holidays and Saturdays shall be considered as the first day of the
4 week, commonly called Sunday, and public holidays, for all
5 purposes whatsoever as regards the transaction of business in the
6 public offices of this State, or counties of this State, except as
7 provided under subsection d. of this section; but on all other days or
8 half days, except Sunday or as otherwise provided by law, such
9 offices shall be kept open for the transaction of business.

10 d. Notwithstanding the provisions of subsections a. through c.
11 of this section, when the provisions of this subsection take effect,
12 the following day each calendar year shall not be considered a
13 public holiday for the purposes of conducting State government
14 business:

15 February 12, known as Lincoln's Birthday.

16 All public offices of State government in this State shall be open
17 on this day for the transaction of business.

18 (cf: P.L.2008, c.89, s.26)

19
20 4. This act shall take effect immediately.

21 22 23 STATEMENT

24
25 This bill would replace Columbus Day with Indigenous Peoples'
26 Day to honor New Jersey's indigenous heritage and to foster a
27 greater sense of inclusiveness towards indigenous people. The
28 legacy of Christopher Columbus has become more controversial as
29 his harsh treatment of indigenous people has become more widely
30 known. An increasing number of Americans have come to
31 recognize Columbus's journeys into the New World as the
32 beginning of an era of European colonization and conquest. In
33 response, many states and municipalities have replaced Columbus
34 Day with Indigenous Peoples' Day to bring greater attention to the
35 plight of indigenous people and to celebrate indigenous cultures.

36 Although two municipalities in New Jersey recognize Indigenous
37 Peoples' Day, Columbus Day remains a public holiday. This bill
38 would amend the list of paid holidays granted to State employees,
39 the list of holidays for which schools are required to conduct
40 patriotic activities, and the list of recognized legal holidays, to
41 replace Columbus Day with Indigenous Peoples' Day.

42 By setting aside a day to celebrate the history and culture of
43 indigenous people, we can begin the long overdue process of
44 acknowledging an overlooked and underappreciated part of our
45 State's population.