

[First Reprint]

**SENATE, No. 1028**

**STATE OF NEW JERSEY**  
**219th LEGISLATURE**

INTRODUCED JANUARY 30, 2020

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Senator SHIRLEY K. TURNER**

**District 15 (Hunterdon and Mercer)**

**Senator TROY SINGLETON**

**District 7 (Burlington)**

**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:**

**Senator Greenstein, 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 Senate Education Committee on February 13, 2020, with amendments.

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

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

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  
9 read as follows:

10 2. a. The Amistad Commission, so named in honor of the  
11 group 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  
14 case successfully argued before the United States Supreme Court, is  
15 created and established in the Executive Branch of the State  
16 Government. For the purposes of complying with the provisions of  
17 Article V, Section IV, paragraph 1 of the New Jersey Constitution,  
18 the commission is allocated **【within the Department of State】** in but  
19 not of the Department of Education, but notwithstanding this  
20 allocation, the commission shall be independent of any supervision  
21 or control by the department or any board or officer thereof.

22 <sup>1</sup>The 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.<sup>1</sup> 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  
29 appropriations act.

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

**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:

<sup>1</sup>Senate SED committee amendments adopted February 13, 2020.

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

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

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

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

43       e. **【The New Jersey Historical Commission shall serve as staff**  
44 **for the Amistad Commission. The New Jersey Historical**  
45 **Commission may, subject to the availability of appropriations, hire**  
46 **additional staff and consultants to carry out the duties and**  
47 **responsibilities of the Amistad Commission.】** The commission  
48 shall interview and appoint an executive director, who shall serve at

1 its pleasure and shall be a person qualified by training and  
2 experience to perform the duties of the office. The commission  
3 shall approve all Amistad personnel job descriptions and all persons  
4 recommended for employment by its executive director. <sup>1</sup>【The  
5 Department of Education shall provide any additional staff that the  
6 Amistad Commission might deem necessary.】<sup>1</sup>

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

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

14 (2) conduct **【at least one】** teacher **【workshop】** workshops  
15 annually on the African slave trade, slavery in America, the vestiges  
16 of slavery in this country and the accomplishments, experiences,  
17 and contributions of African-Americans to our society, covering  
18 information which often has been omitted from traditional  
19 curricula;

20 (3) **【assist the Amistad Commission in monitoring】** monitor and  
21 assess the inclusion of such materials and curricula in the State's  
22 educational system; and

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

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

38  
39 2. (New section) As used in P.L.2002, c.75 (C.52:16A-  
40 86 et seq.) and P.L. , c. (C. ) (pending before the Legislature as  
41 this bill), "African American" means all people of African descent  
42 in the United States.

43  
44 3. (New section) The Legislature finds and declares that:

45 a. Since the days of slavery, public school curricula have  
46 consistently omitted or misrepresented the history of African  
47 Americans.

1       b. To correct these omissions, all public schools in the State of  
2 New Jersey should include instruction that infuses into all courses  
3 on the United States, the centuries of contributions and  
4 accomplishments by African Americans in the building and  
5 development of America.

6       c. The Amistad Commission, created pursuant to P.L.2002,  
7 c.75 (C.52:16A-86 et seq.), is responsible for designing and  
8 promoting the implementation of education and awareness  
9 programs in New Jersey concerned with slavery in America and the  
10 contributions of African Americans, and for developing curriculum  
11 guidelines for the teaching of this information. The Amistad  
12 Commission is an ideal agency to recommend curricular materials  
13 to school districts.

14

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

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

42       c. The Department of Education shall work with the Amistad  
43 Commission to ensure that all department assessment tools for New  
44 Jersey schools are inclusive of the curricular requirements  
45 established pursuant to this section.

46

47       5. This act shall take effect immediately.