

[Second Reprint]

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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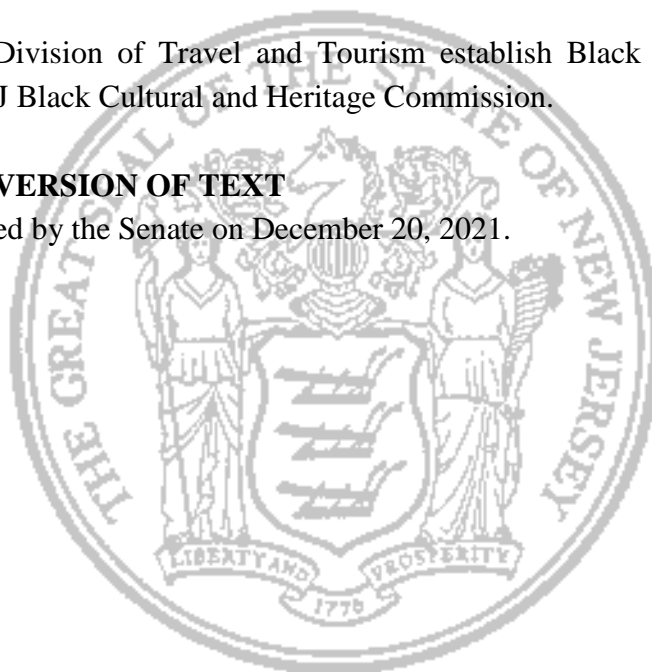
**Assemblywoman Reynolds-Jackson, Assemblyman Simonsen,
Assemblywomen Stanfield, Vainieri Huttie, Assemblyman Houghtaling,
Assemblywoman Dunn, Assemblymen Spearman, Johnson, Wimberly and
Assemblywoman Murphy**

SYNOPSIS

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

CURRENT VERSION OF TEXT

As amended by the Senate on December 20, 2021.



(Sponsorship Updated As Of: 6/24/2021)

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
31 P.L. , c. (C.) (pending before the Legislature as this bill),
32 identify a series of Black heritage sites to be part of a New Jersey
33 Black Heritage Trail. The division may seek the assistance and
34 cooperation of the New Jersey Historic Preservation Office, the
35 New Jersey Historical Commission, local government officials or
36 entities, owners or operators of Black heritage sites, and entities
37 that identify and compile data on historical trails, sites, or
38 memorials to aid in effectively carrying out the purposes of this act.
39 The purpose of the New Jersey Black Heritage Trail shall be to
40 promote awareness and appreciation of Black history, heritage, and
41 culture in the State through education, public programs, and
42 historical markers. The New Jersey Black Heritage Trail shall
43 highlight Black heritage sites through historical markers and a trail-
44 like path that connect the stories of Black life and resiliency in the

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 ATG committee amendments adopted March 8, 2021.

²Senate floor amendments adopted December 20, 2021.

1 State. The division shall ensure that as many Black heritage sites in
2 the State as practical are included in the New Jersey Black Heritage
3 Trail. In identifying specific Black heritage sites to be included in
4 the New Jersey Black Heritage Trail, special consideration shall be
5 given to Black heritage sites that are in close geographic proximity
6 to other Black heritage sites or thematically linked by surrounding
7 arts, cultural, historical, entertainment, or other tourism destinations
8 or exhibits of interest to tourists interested in Black heritage sites.
9 The New Jersey Black Heritage Trail shall be inclusive of all eras
10 as well as be geographically representative of the entire State.

11 c. The division shall:

12 (1) determine and select such sites significant to Black history,
13 heritage, and culture in this State that the division determines
14 should be a part of the New Jersey Black Heritage Trail and shall
15 mark each site with a suitable historical marker ², unless the site
16 already has a marker that the division deems suitable²;

17 (2) design , purchase, and erect historical markers which the
18 division may decide to be appropriate at such sites, indicating
19 thereon the persons, places, or events commemorated and having
20 such other suitable inscription as the division may deem necessary;
21 and

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

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

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

36

37 2. a. The division shall develop and maintain an Internet site
38 providing information on the New Jersey Black Heritage Trail and
39 Black heritage sites in the State. The information on the Internet
40 site shall be searchable and available as a list and as an interactive
41 map, and shall:

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

46 (2) provide information about whether the heritage site offers
47 guided tours, the frequency of tours, and the hours during which
48 tours are conducted;

1 (3) display photographs of each heritage site;

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

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

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

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

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

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

38

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

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

46 (1) two ¹public¹ members ¹【of the Senate】¹ shall be appointed,
47 one each, by the ²Governor from persons recommended by the²
48 President and Minority Leader of the Senate;

1 (2) two ¹public¹ members ¹**[of the General Assembly]**¹ shall be
2 appointed, one each, by the ²Governor from persons recommended
3 by the² Speaker and Minority Leader of the General Assembly; and

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

6 ¹**[The public members]** Members of the commission¹ shall be
7 residents of the State, shall represent the various geographical areas
8 of the State, and shall be representatives of Black arts, history, or
9 culture organizations or be persons having knowledge of, expertise
10 in, or a commitment to the collection, recordation, and preservation
11 of the history, heritage, and culture of Black people in New Jersey.

12 c. Members of the commission shall be appointed not later than
13 60 days after the effective date of this act and shall hold their initial
14 meeting as soon as practicable, but no later than 30 days following
15 the appointment of a majority of its authorized membership. The
16 members shall elect one of the ¹**[public]**¹ members to serve as
17 chairperson and one of the members to serve as vice-chairperson.
18 The chairperson may appoint a secretary, who need not be a
19 member of the commission. ¹**[Public members]** Members¹ shall
20 serve for a term of two years, except that ²**[four]** six² of the initial
21 members appointed by the Governor shall serve for a term of one
22 year. ¹**[Legislative members and public members]** Members¹ shall
23 be eligible for reappointment. The ¹**[public]**¹ members of the
24 commission shall serve until their successors are appointed and
25 qualified, and the term of the successor of any incumbent public
26 member shall be calculated from the expiration of the term of that
27 incumbent. A vacancy occurring other than by expiration of the
28 term shall be filled in the same manner as the original appointment
29 but for the unexpired term only. Members of the commission shall
30 serve without compensation, but may be reimbursed for necessary
31 expenses incurred in the performance of their duties.

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

41 e. The Department of State shall provide primary staff support
42 to the commission. The commission shall be entitled to call upon
43 any department, office, division, or agency of this State to supply
44 the commission with any information, personnel, or assistance it
45 deems necessary for its purposes. Each department, office,
46 division, or agency of the State shall cooperate with the commission

1 and furnish it with such information, personnel, or assistance as
2 may be necessary for the commission to discharge its duties.

3
4 4. a. The purpose of the New Jersey Black Cultural and
5 Heritage Commission is to promote awareness and appreciation of
6 Black history, heritage, and culture in the State through education
7 and public programs, including the creation of appropriate
8 memorials at significant locations within the State.

9 b. The New Jersey Black Cultural and Heritage Commission
10 shall:

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

13 (2) develop, coordinate, and advise the Governor and
14 Legislature of Statewide activities in recognition of Black history,
15 heritage, and culture;

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

19 (4) meet with other groups and organizations in order to
20 coordinate events and seek volunteers who are willing to donate
21 their talents to promote awareness and appreciation of Black
22 history, heritage, and culture in order to build more inclusive
23 communities in New Jersey; and

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

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

39
40 5. This act shall take effect immediately.