

52:16A-87

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2004 **CHAPTER:** 94

NJSA: 52:16A-87 (Adds four legislative members to Amistad Commission)

BILL NO: A1557 (Substituted for S1159)

SPONSOR(S): Payne and Stanley

DATE INTRODUCED: Pre-filed

COMMITTEE: **ASSEMBLY:** Education
SENATE: Education

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** February 23, 2004

SENATE: May 20, 2004

DATE OF APPROVAL: July 9, 2004

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) Original version of bill enacted

A1557

[SPONSOR'S STATEMENT:](#) (Begins on page 4 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** [Yes](#)

SENATE: [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

S1159

[SPONSOR'S STATEMENT:](#) (Begins on page 4 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: [Yes](#)

FLOOR AMENDMENT STATEMENT: No

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS:

No

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No

NEWSPAPER ARTICLES:

No

P.L. 2004, CHAPTER 94, *approved July 9, 2004*
Assembly, No. 1557

1 AN ACT increasing the membership of the Amistad Commission and
2 amending P.L.2002, c.75.

3

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

6

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

9 2. a. The Amistad Commission, so named in honor of the group
10 of enslaved Africans led by Joseph Cinque who, while being
11 transported in 1839 on a vessel named the Amistad, gained their
12 freedom after overthrowing the crew and eventually having their case
13 successfully argued before the United States Supreme Court, is
14 created and established in the Executive Branch of the State
15 Government. For the purposes of complying with the provisions of
16 Article V, Section IV, paragraph 1 of the New Jersey Constitution, the
17 commission is allocated within the Department of State.

18 The commission shall consist of [19] 23 members, including the
19 Secretary of State or a designee, the Commissioner of Education or a
20 designee and the chair of the executive board of the Presidents'
21 Council or a designee, serving ex officio, two members of the Senate,
22 no more than one of whom shall be of the same political party,
23 appointed by the President of the Senate to serve as non-voting
24 members for the two-year legislative term during which they are
25 appointed, two members of the General Assembly, no more than one
26 of whom shall be of the same political party, appointed by the Speaker
27 of the General Assembly to serve as non-voting members for the two-
28 year legislative term during which they are appointed, and 16 public
29 members.

30 Public members shall be appointed as follows: four public members,
31 no more than two of whom shall be of the same political party, shall
32 be appointed by the President of the Senate; four public members, no
33 more than two of whom shall be of the same political party, shall be
34 appointed by the Speaker of the General Assembly; and eight public
35 members, no more than four of whom shall be of the same political
36 party, shall be appointed by the Governor. The public members shall
37 be residents of this State, chosen with due regard to broad geographic
38 representation and ethnic diversity, who have an interest in the history
39 of the African slave trade and slavery in America and the contributions
40 of African-Americans to our society.

41 b. Each public member of the commission shall serve for a term of

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 three years, except that of the initial members so appointed: one
2 member appointed by the President of the Senate, one member
3 appointed by the Speaker of the General Assembly, and two members
4 appointed by the Governor shall serve for terms of one year; one
5 member appointed by the President of the Senate, one member
6 appointed by the Speaker of the General Assembly, and three members
7 appointed by the Governor shall serve for terms of two years; and two
8 members appointed by the President of the Senate, two members
9 appointed by the Speaker of the General Assembly, and three members
10 appointed by the Governor shall serve for terms of three years. Public
11 members shall be eligible for reappointment. They shall serve until
12 their successors are appointed and qualified, and the term of the
13 successor of any incumbent shall be calculated from the expiration of
14 the term of that incumbent. A vacancy occurring other than by
15 expiration of term shall be filled in the same manner as the original
16 appointment but for the unexpired term only.

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

20 d. The Secretary of State, or a designee, shall serve as the chair
21 and the Commissioner of Education, or a designee, shall serve as the
22 vice-chair of the commission. The presence of a majority of the
23 authorized membership of the commission shall be required for the
24 conduct of official business.

25 e. The New Jersey Historical Commission shall serve as staff for
26 the Amistad Commission. The New Jersey Historical Commission
27 may, subject to the availability of appropriations, hire additional staff
28 and consultants to carry out the duties and responsibilities of the
29 Amistad Commission.

30 f. The Department of Education shall:

31 (1) assist the Amistad Commission in marketing and distributing to
32 educators, administrators and school districts in the State educational
33 information and other materials on the African slave trade, slavery in
34 America, the vestiges of slavery in this country and the contributions
35 of African-Americans to our society;

36 (2) conduct at least one teacher workshop annually on the African
37 slave trade, slavery in America, the vestiges of slavery in this country
38 and the contributions of African-Americans to our society;

39 (3) assist the Amistad Commission in monitoring the inclusion of
40 such materials and curricula in the State's educational system; and

41 (4) consult with the Amistad Commission to determine ways it may
42 survey, catalog, and extend slave trade and American slavery
43 education presently being incorporated into the Core Curriculum
44 Content Standards and taught in the State's educational system.

45 (cf: P.L.2002, c.75, s.2)

1 2. This act shall take effect immediately.

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6 Adds four legislative members to Amistad Commission.

ASSEMBLY, No. 1557

STATE OF NEW JERSEY 211th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

Sponsored by:

Assemblyman WILLIAM D. PAYNE

District 29 (Essex and Union)

Assemblyman CRAIG A. STANLEY

District 28 (Essex)

Co-Sponsored by:

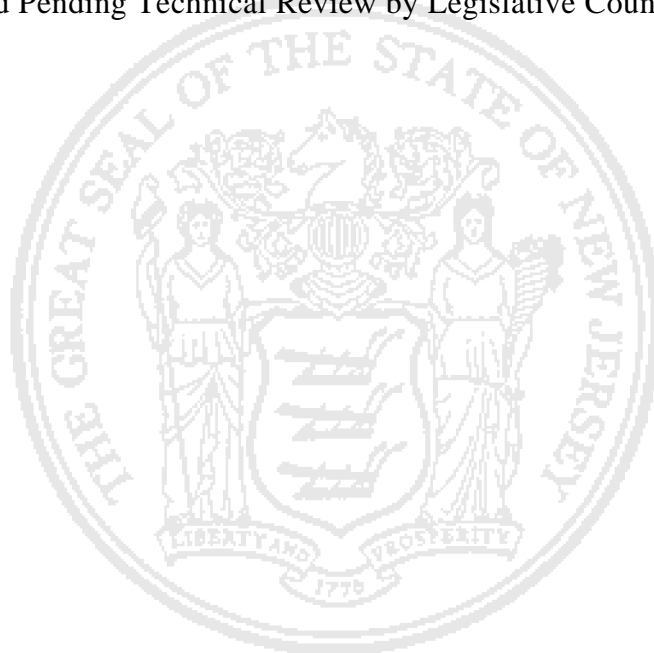
Assemblyman Eagler

SYNOPSIS

Adds four legislative members to Amistad Commission.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



A1557 PAYNE, STANLEY

2

1 AN ACT increasing the membership of the Amistad Commission and
2 amending P.L.2002, c.75.

3

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

6

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

9 2. a. The Amistad Commission, so named in honor of the group
10 of enslaved Africans led by Joseph Cinque who, while being
11 transported in 1839 on a vessel named the Amistad, gained their
12 freedom after overthrowing the crew and eventually having their case
13 successfully argued before the United States Supreme Court, is
14 created and established in the Executive Branch of the State
15 Government. For the purposes of complying with the provisions of
16 Article V, Section IV, paragraph 1 of the New Jersey Constitution, the
17 commission is allocated within the Department of State.

18 The commission shall consist of **[19]** 23 members, including the
19 Secretary of State or a designee, the Commissioner of Education or a
20 designee and the chair of the executive board of the Presidents'
21 Council or a designee, serving ex officio, two members of the Senate,
22 no more than one of whom shall be of the same political party, shall be
23 appointed by the President of the Senate and shall serve as non-voting
24 members for the two-year legislative term during which they are
25 appointed, two members of the General Assembly, no more than one
26 of whom shall be of the same political party, shall be appointed by the
27 Speaker of the General Assembly and shall serve as non-voting
28 members for the two-year legislative term during which they are
29 appointed, and 16 public members.

30 Public members shall be appointed as follows: four public members,
31 no more than two of whom shall be of the same political party, shall
32 be appointed by the President of the Senate; four public members, no
33 more than two of whom shall be of the same political party, shall be
34 appointed by the Speaker of the General Assembly; and eight public
35 members, no more than four of whom shall be of the same political
36 party, shall be appointed by the Governor. The public members shall
37 be residents of this State, chosen with due regard to broad geographic
38 representation and ethnic diversity, who have an interest in the history
39 of the African slave trade and slavery in America and the contributions
40 of African-Americans to our society.

41 b. Each public member of the commission shall serve for a term of
42 three years, except that of the initial members so appointed: one
43 member appointed by the President of the Senate, one member

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 appointed by the Speaker of the General Assembly, and two members
2 appointed by the Governor shall serve for terms of one year; one
3 member appointed by the President of the Senate, one member
4 appointed by the Speaker of the General Assembly, and three members
5 appointed by the Governor shall serve for terms of two years; and two
6 members appointed by the President of the Senate, two members
7 appointed by the Speaker of the General Assembly, and three members
8 appointed by the Governor shall serve for terms of three years. Public
9 members shall be eligible for reappointment. They shall serve until
10 their successors are appointed and qualified, and the term of the
11 successor of any incumbent shall be calculated from the expiration of
12 the term of that incumbent. A vacancy occurring other than by
13 expiration of term shall be filled in the same manner as the original
14 appointment but for the unexpired term only.

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

18 d. The Secretary of State, or a designee, shall serve as the chair
19 and the Commissioner of Education, or a designee, shall serve as the
20 vice-chair of the commission. The presence of a majority of the
21 authorized membership of the commission shall be required for the
22 conduct of official business.

23 e. The New Jersey Historical Commission shall serve as staff for
24 the Amistad Commission. The New Jersey Historical Commission
25 may, subject to the availability of appropriations, hire additional staff
26 and consultants to carry out the duties and responsibilities of the
27 Amistad Commission.

28 f. The Department of Education shall:

29 (1) assist the Amistad Commission in marketing and distributing to
30 educators, administrators and school districts in the State educational
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32 America, the vestiges of slavery in this country and the contributions
33 of African-Americans to our society;

34 (2) conduct at least one teacher workshop annually on the African
35 slave trade, slavery in America, the vestiges of slavery in this country
36 and the contributions of African-Americans to our society;

37 (3) assist the Amistad Commission in monitoring the inclusion of
38 such materials and curricula in the State's educational system; and

39 (4) consult with the Amistad Commission to determine ways it may
40 survey, catalog, and extend slave trade and American slavery
41 education presently being incorporated into the Core Curriculum
42 Content Standards and taught in the State's educational system.

43 (cf: P.L.2002, c.75, s.2)

44

45 2. This act shall take effect immediately.

1 STATEMENT

2

3 Currently, there are 19 members of the Amistad Commission,
4 including the Secretary of State or a designee, the Commissioner of
5 Education or a designee, the chair of the executive board of the
6 Presidents' Council or a designee, serving ex officio, and 16 public
7 members. This bill adds four additional legislative members to the
8 Commission, who will serve as non-voting members. Of these four
9 members, there will be two members of the Senate who are not of the
10 same political party, and two members of the Assembly who are not
11 of the same political party. The legislative members will serve on the
12 commission for the two-year legislative term during which they are
13 appointed.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1557

STATE OF NEW JERSEY

DATED: FEBRUARY 19, 2004

The Assembly Education Committee favorably reports Assembly Bill No. 1557.

This bill increases the membership of the Amistad Commission from 19 to 23 members by the addition of four legislative members. The bill provides that two members of the Senate, appointed by the Senate President, and two members of the General Assembly, appointed by the Speaker, will serve as non-voting members on the commission for the two-year legislative term during which they are appointed. The two members appointed from each House may not be of the same political party.

The legislation establishing the Amistad Commission was approved on August 28, 2002 pursuant to P.L.2002, c.75. The commission is currently composed of the Secretary of State, the Commissioner of Education, and the chair of the executive board of the Presidents' Council, or their designees, and 16 public members. The Amistad Commission is charged with a variety of responsibilities focused on surveying, designing, encouraging and promoting the implementation of education and awareness programs in New Jersey concerned with the African slave trade, slavery in America, the vestiges of slavery in this country, and the contributions of African Americans to our society.

This bill was pre-filed for introduction in the 2004-2005 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1557

STATE OF NEW JERSEY

DATED: MAY 13, 2004

The Senate Education Committee reports favorably Assembly Bill No. 1557.

This bill adds four additional legislative members to the Amistad Commission, who will serve as non-voting members. Of these four members, there will be two members of the Senate who are not of the same political party, and two members of the Assembly who are not of the same political party. The legislative members will serve on the commission for the two-year legislative term during which they are appointed.

Currently, there are 19 members of the Amistad Commission, including the Secretary of State or a designee, the Commissioner of Education or a designee, the chair of the executive board of the Presidents' Council or a designee, serving ex officio, and 16 public members.

As reported, this bill is identical to Senate Bill No. 1159 with Senate committee amendments.

SENATE, No. 1159

STATE OF NEW JERSEY
211th LEGISLATURE

INTRODUCED FEBRUARY 24, 2004

Sponsored by:

Senator GLENN D. CUNNINGHAM

District 31 (Hudson)

Co-Sponsored by:

Senator Lesniak

SYNOPSIS

Adds four legislative members to Amistad Commission.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/7/2004)

S1159 CUNNINGHAM

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3

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42 Content Standards and taught in the State's educational system.

43 (cf: P.L.2002, c.75, s.2)

44

45 2. This act shall take effect immediately.

S1159 CUNNINGHAM

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STATEMENT

Currently, there are 19 members of the Amistad Commission, including the Secretary of State or a designee, the Commissioner of Education or a designee, the chair of the executive board of the Presidents' Council or a designee, serving ex officio, and 16 public members. This bill adds four additional legislative members to the Commission, who will serve as non-voting members. Of these four members, there will be two members of the Senate who are not of the same political party, and two members of the Assembly who are not of the same political party. The legislative members will serve on the commission for the two-year legislative term during which they are appointed.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 1159

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 13, 2004

The Senate Education Committee reports favorably Senate Bill No. 1159 with committee amendments.

As amended, this bill adds four additional legislative members to the Amistad Commission, who will serve as non-voting members. Of these four members, there will be two members of the Senate who are not of the same political party, and two members of the Assembly who are not of the same political party. The legislative members will serve on the commission for the two-year legislative term during which they are appointed.

Currently, there are 19 members of the Amistad Commission, including the Secretary of State or a designee, the Commissioner of Education or a designee, the chair of the executive board of the Presidents' Council or a designee, serving ex officio, and 16 public members.

The committee amendments are technical and make Senate Bill No. 1159 identical to Assembly Bill No. 1557.