

SENATE, No. 3727

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 11, 2021

Sponsored by:

Senator TROY SINGLETON

District 7 (Burlington)

Senator MICHAEL L. TESTA, JR.

District 1 (Atlantic, Cape May and Cumberland)

Co-Sponsored by:

Senator Turner

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: 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 or
14 advancement of this State, the United States, or Black communities
15 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 New
35 Jersey Historical Commission, local government officials or entities,
36 owners or operators of Black heritage sites, and entities that identify
37 and 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 heritage

1 sites that are in close geographic proximity to other Black heritage
2 sites or thematically linked by surrounding arts, cultural, historical,
3 entertainment, or other tourism destinations or exhibits of interest to
4 tourists interested in Black heritage sites. The New Jersey Black
5 Heritage Trail shall be inclusive of all eras as well as be
6 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 should
10 be a part of the New Jersey Black Heritage Trail and shall mark each
11 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 thereon
14 the persons, places, or events commemorated and having such other
15 suitable inscription as the division may deem necessary; and

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

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

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

30

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

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

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

43 (3) display photographs of each heritage site;

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

1 (5) provide contact information for the owner or operator of each
2 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 before
7 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 sites
10 on the New Jersey Black Heritage Trail. The division may solicit
11 information from local government officials or entities, the owners
12 or operators of Black heritage sites, and entities that identify and
13 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 not
23 owned, operated, or maintained by a governmental entity on the New
24 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 may
27 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 division
33 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 any
38 supervision or control by the Department of State except as expressly
39 authorized under this act, P.L. , c. (C.) (pending before the
40 Legislature as this bill).

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

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

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

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

1 Members of the commission shall be residents of the State, shall
2 represent the various geographical areas of the State, and shall be
3 representatives of Black arts, history, or culture organizations or be
4 persons having knowledge of, expertise in, or a commitment to the
5 collection, recordation, and preservation of the history, heritage, and
6 culture of Black people in 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 members to serve as chairperson and
12 one of the members to serve as vice-chairperson. The chairperson
13 may appoint a secretary, who need not be a member of the
14 commission. Members shall serve for a term of two years, except
15 that four of the initial members appointed by the Governor shall serve
16 for a term of one year. Members shall be eligible for reappointment.
17 The members of the commission shall serve until their successors are
18 appointed and qualified, and the term of the successor of any
19 incumbent public member shall be calculated from the expiration of
20 the term of that incumbent. A vacancy occurring other than by
21 expiration of the term shall be filled in the same manner as the
22 original appointment but for the unexpired term only. Members of
23 the commission shall serve without compensation, but may be
24 reimbursed for necessary expenses incurred in the performance of
25 their duties.

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

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

43
44 4. a. The purpose of the New Jersey Black Cultural and Heritage
45 Commission is to promote awareness and appreciation of Black
46 history, heritage, and culture in the State through education and
47 public programs, including the creation of appropriate memorials at
48 significant locations within the State.

1 b. The New Jersey Black Cultural and Heritage Commission
2 shall:

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

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

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

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

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

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

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32 5. This act shall take effect immediately.

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STATEMENT

36

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

47 The bill requires that the Black heritage sites along the Black
48 Heritage Trail be geographically linked by relevant arts, cultural,

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

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

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