

1499

2009-2010 Regular Sessions

I N   A S S E M B L Y

(PREFILED)

January 7, 2009

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Introduced by M. of A. WRIGHT, ESPAILLAT -- Multi-Sponsored by -- M. of  
A. BOYLAND, COLTON, LAVINE, McENENY, TOWNS, WEISENBERG -- read once  
and referred to the Committee on Tourism, Arts and Sports Development

AN ACT to amend the parks, recreation and historic preservation law and  
the education law, in relation to providing for the people's history  
project and for classroom instruction therein

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-  
BLY, DO ENACT AS FOLLOWS:

1     Section 1. The parks, recreation and historic preservation law is  
2     amended by adding a new section 19.07 to read as follows:  
3     S 19.07 PEOPLE'S HISTORY PROJECT. 1. THE LEGISLATURE HEREBY FINDS AND  
4     DECLARES THAT THE HISTORY OF NEW YORK STATE IS REplete WITH PERSONS,  
5     SITES, AND EVENTS, OF BOTH LOCAL AND STATEWIDE IMPORTANCE, THAT HAVE  
6     HERETOFORE BEEN OVERLOOKED BY MAINSTREAM, ESTABLISHED HISTORY. OUR PRES-  
7     ENT HISTORICAL SITES, AND HISTORY AS IT IS TAUGHT IN OUR SCHOOLS AND  
8     POPULARLY RECORDED, FAIL TO TAKE INTO CONSIDERATION THE MULTITUDE OF  
9     PEOPLES WHO HAVE BUILT OUR STATE. NEW YORK IS THE STATE THAT HAS BEEN  
10    MOST AFFECTED BY THE IMMIGRANT AND VARIOUS ETHNIC POPULATIONS OF THIS  
11    COUNTRY. IT IS ALSO THE STATE THAT WAS MOST SIGNIFICANT TO THE MAJORITY  
12    OF SOCIAL AND ECONOMIC MOVEMENTS OF THE LAST FOUR HUNDRED YEARS, YET OUR  
13    RECOGNITION OF HISTORIC PERSONAGES AND SITES TENDS TO OVERLOOK THEM. IT  
14    IS TIME THAT WE BEGIN TO RECOGNIZE THOSE FROM EVERY BACKGROUND WHO HAVE  
15    CONTRIBUTED TO THE HISTORY OF THIS STATE. MAKING SUCH RECOGNITION WILL  
16    GIVE NEW CAUSE FOR PRIDE TO ALL THE PEOPLE AND CREATE NEW ROLE MODELS  
17    FOR ALL OUR PEOPLE. IT WILL ALSO CONTRIBUTE TO TOURISM, ESPECIALLY  
18    SPECIAL NICHE TOURISM, AND CONSEQUENTLY THE ECONOMIC DEVELOPMENT OF THE  
19    STATE, ESPECIALLY IN AREAS THAT ARE UNDERDEVELOPED ECONOMICALLY AND  
20    DISADVANTAGED.  
21    2. THE COMMISSIONER SHALL ESTABLISH WITHIN THE OFFICE A PEOPLE'S  
22    HISTORY COMMITTEE. THE MEMBERS OF THE COMMITTEE SHALL BE APPOINTED BY

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD00330-01-9

1 THE COMMISSIONER AND SHALL BE REPRESENTATIVE OF ACADEMIC AND PROFES-  
2 SIONAL HISTORIANS AND MEMBERS OF VARIOUS LOCAL HISTORICAL SOCIETIES OR  
3 OTHER SUCH GROUPS. THE MEMBERS OF THE COMMITTEE SHALL SERVE WITHOUT  
4 COMPENSATION, BUT SHALL BE ALLOWED THEIR ACTUAL AND NECESSARY EXPENSES.

5 3. THE PEOPLE OF THE STATE MAY NOMINATE PERSONS, SITES, AND EVENTS OF  
6 HISTORICAL SIGNIFICANCE FOR INCLUSION IN THE PEOPLE'S HISTORY PROJECT.  
7 THESE MAY BE OF LOCAL, REGIONAL OR STATEWIDE (OR EVEN NATIONAL) SIGNIF-  
8 ICANCE. THE COMMITTEE, IN CONSULTATION WITH LOCAL HISTORIANS, HISTORICAL  
9 SOCIETIES, AND OTHER AUTHORITIES, WHERE APPROPRIATE, SHALL PASS ON THE  
10 MERITS OF THE NOMINEES.

11 4. FOR NOMINEES APPROVED BY THE COMMITTEE, THE OFFICE SHALL FORMALLY  
12 ADD THE OFFICE TO THE ROLL OF THE PEOPLE'S HISTORY PROJECT. SUITABLE  
13 COMMEMORATIVE MARKERS SHALL BE ERECTED AT THE APPROPRIATE LOCATION OR  
14 LOCATIONS. THE OFFICE SHALL ANNUALLY PUBLISH A PEOPLE'S HISTORY PROJECT  
15 BROCHURE LISTING THE PERSONS, SITES, AND EVENTS ON THE ROLL, TOGETHER  
16 WITH BRIEF DESCRIPTIONS THEREOF AND A MAP SHOWING THE LOCATIONS THEREOF.

17 5. THE PEOPLE'S HISTORY PROJECT SHALL NOT DUPLICATE THE FUNCTIONS OF  
18 OTHER FEDERAL, STATE, OR LOCAL HISTORICAL PROGRAMS.

19 S 2. Subdivisions 1 and 3 of section 801 of the education law, as  
20 amended by chapter 574 of the laws of 1997, are amended to read as  
21 follows:

22 1. In order to promote a spirit of patriotic and civic service and  
23 obligation and to foster in the children of the state moral and intel-  
24 lectual qualities which are essential in preparing to meet the obli-  
25 gations of citizenship in peace or in war, the regents of The University  
26 of the State of New York shall prescribe courses of instruction in  
27 patriotism, citizenship, and human rights issues, with particular atten-  
28 tion to the study of the inhumanity of genocide, slavery (including the  
29 freedom trail and underground railroad), the Holocaust, THE PEOPLE'S  
30 HISTORY PROJECT ESTABLISHED PURSUANT TO SECTION 19.07 OF THE PARKS,  
31 RECREATION AND HISTORIC PRESERVATION LAW, and the mass starvation in  
32 Ireland from 1845 to 1850, to be maintained and followed in all the  
33 schools of the state. The boards of education and trustees of the  
34 several cities and school districts of the state shall require instruc-  
35 tion to be given in such courses, by the teachers employed in the  
36 schools therein. All pupils attending such schools, over the age of  
37 eight years, shall attend upon such instruction.

38 Similar courses of instruction shall be prescribed and maintained in  
39 private schools in the state, and all pupils in such schools over eight  
40 years of age shall attend upon such courses. If such courses are not so  
41 established and maintained in a private school, attendance upon instruc-  
42 tion in such school shall not be deemed substantially equivalent to  
43 instruction given to pupils of like age in the public schools of the  
44 city or district in which such pupils reside.

45 3. The regents shall determine the subjects to be included in such  
46 courses of instruction in patriotism, citizenship, and human rights  
47 issues, with particular attention to the study of the inhumanity of  
48 genocide, slavery (including the freedom trail and underground rail-  
49 road), the Holocaust, THE PEOPLE'S HISTORY PROJECT ESTABLISHED PURSUANT  
50 TO SECTION 19.07 OF THE PARKS, RECREATION AND HISTORIC PRESERVATION LAW,  
51 and the mass starvation in Ireland from 1845 to 1850, and in the histo-  
52 ry, meaning, significance and effect of the provisions of the constitu-  
53 tion of the United States, the amendments thereto, the declaration of  
54 independence, the constitution of the state of New York and the amend-  
55 ments thereto, and the period of instruction in each of the grades in  
56 such subjects. They shall adopt rules providing for attendance upon such

1 instruction and for such other matters as are required for carrying into  
2 effect the objects and purposes of this section. The commissioner shall  
3 be responsible for the enforcement of such section and shall cause to be  
4 inspected and supervise the instruction to be given in such subjects.  
5 The commissioner may, in his discretion, cause all or a portion of the  
6 public school money to be apportioned to a district or city to be with-  
7 held for failure of the school authorities of such district or city to  
8 provide instruction in such courses and to compel attendance upon such  
9 instruction, as herein prescribed, and for a non-compliance with the  
10 rules of the regents adopted as herein provided.

11 S 3. This act shall take effect on the one hundred twentieth day after  
12 it shall have become a law; provided that the commissioner of parks,  
13 recreation and historic preservation and the commissioner of education  
14 are authorized to promulgate any and all rules and regulations and take  
15 any other measures necessary to implement this act on its effective date  
16 on or before such date.