S T A T E O F N E W Y O R K

1499

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The parks, recreation and historic preservation law is amended by adding a new section 19.07 to read as follows:

S 19.07 PEOPLE'S HISTORY PROJECT. 1. THE LEGISLATURE HEREBY FINDS AND DECLARES THAT THE HISTORY OF NEW YORK STATE IS REPLETE WITH PERSONS, SITES, AND EVENTS, OF BOTH LOCAL AND STATEWIDE IMPORTANCE, THAT HAVE HERETOFORE BEEN OVERLOOKED BY MAINSTREAM, ESTABLISHED HISTORY. OUR PRESENT HISTORICAL SITES, AND HISTORY AS IT IS TAUGHT IN OUR SCHOOLS AND POPULARLY RECORDED, FAIL TO TAKE INTO CONSIDERATION THE MULTITUDE OF PEOPLES WHO HAVE BUILT OUR STATE. NEW YORK IS THE STATE THAT HAS BEEN MOST AFFECTED BY THE IMMIGRANT AND VARIOUS ETHNIC POPULATIONS OF THIS COUNTRY. IT IS ALSO THE STATE THAT WAS MOST SIGNIFICANT TO THE MAJORITY OF SOCIAL AND ECONOMIC MOVEMENTS OF THE LAST FOUR HUNDRED YEARS, YET OUR RECOGNITION OF HISTORIC PERSONAGES AND SITES TENDS TO OVERLOOK THEM. IT IS TIME THAT WE BEGIN TO RECOGNIZE THOSE FROM EVERY BACKGROUND WHO HAVE CONTRIBUTED TO THE HISTORY OF THIS STATE. MAKING SUCH RECOGNITION WILL GIVE NEW CAUSE FOR PRIDE TO ALL THE PEOPLE AND CREATE NEW ROLE MODELS FOR ALL OUR PEOPLE. IT WILL ALSO CONTRIBUTE TO TOURISM, ESPECIALLY SPECIAL NICHE TOURISM, AND CONSEQUENTLY THE ECONOMIC DEVELOPMENT OF THE STATE, ESPECIALLY IN AREAS THAT ARE UNDERDEVELOPED ECONOMICALLY AND DISADVANTAGED.

2. THE COMMISSIONER SHALL ESTABLISH WITHIN THE OFFICE A PEOPLE'S 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.

THE COMMISSIONER AND SHALL BE REPRESENTATIVE OF ACADEMIC AND PROFESSIONAL HISTORIANS AND MEMBERS OF VARIOUS LOCAL HISTORICAL SOCIETIES OR OTHER SUCH GROUPS. THE MEMBERS OF THE COMMITTEE SHALL SERVE WITHOUT COMPENSATION, BUT SHALL BE ALLOWED THEIR ACTUAL AND NECESSARY EXPENSES.

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

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

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

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

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

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

3. The regents shall determine the subjects to be included in such courses of instruction in patriotism, citizenship, and human rights issues, with particular attention to the study of the inhumanity of genocide, slavery (including the freedom trail and underground railroad), the Holocaust, THE PEOPLE'S HISTORY PROJECT ESTABLISHED PURSUANT TO SECTION 19.07 OF THE PARKS, RECREATION AND HISTORIC PRESERVATION LAW, and the mass starvation in Ireland from 1845 to 1850, and in the history, meaning, significance and effect of the provisions of the constitution of the United States, the amendments thereto, the declaration of independence, the constitution of the state of New York and the amendments thereto, and the period of instruction in each of the grades in such subjects. They shall adopt rules providing for attendance upon such

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

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