

# STATE OF NEW YORK

3939

2023-2024 Regular Sessions

## IN ASSEMBLY

February 8, 2023

Introduced by M. of A. TAYLOR -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development

AN ACT to amend the arts and cultural affairs law, in relation to the Amistad Commission

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 57.52 of the arts and cultural affairs law, as  
2 added by chapter 404 of the laws of 2005, is amended to read as follows:  
3 § 57.52. Amistad commission; established. 1. The Amistad commission  
4 (commission), so named in honor of the group of enslaved Africans led by  
5 Joseph Cinque who, while being transported in eighteen hundred thirty-  
6 nine on a vessel named the Amistad, gained their freedom after over-  
7 throwing the crew and eventually having their case successfully argued  
8 before the United States Supreme Court, is hereby created and estab-  
9 lished. The commission shall consist of nineteen members, including the  
10 secretary of state or his or her designee, the commissioner of education  
11 or his or her designee, and the chancellor of the state university of  
12 New York or his or her designee, serving ex officio, and sixteen public  
13 members. Public members shall be appointed as follows: four public  
14 members, no more than two of whom shall be of the same political party,  
15 shall be appointed by the temporary president of the senate; four public  
16 members, no more than two of whom shall be of the same political party,  
17 shall be appointed by the speaker of the assembly; and eight public  
18 members, no more than four of whom shall be of the same political party,  
19 shall be appointed by the governor. To the extent practical, appointed  
20 members shall be chosen with due regard to broad ethnic diversity and  
21 shall have a demonstrated educational background in the history of the  
22 African slave trade and slavery in America or the contributions of Afri-  
23 can-Americans to our society. The public members shall be residents of  
24 the state, chosen with due regard to broad geographic representation and  
25 ethnic diversity, who have an interest in the history of the African

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

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1 slave trade and slavery in America and the contributions of African-Am-  
2 ericans to our society.

3 2. Each public member of the commission shall serve for a term of  
4 three years, except that of the initial members so appointed: one member  
5 appointed by the temporary president of the senate, one member appointed  
6 by the speaker of the assembly, and two members appointed by the gover-  
7 nor shall serve for terms of one year; one member appointed by the  
8 temporary president of the senate, one member appointed by the speaker  
9 of the assembly, and three members appointed by the governor shall serve  
10 for terms of two years; and two members appointed by the temporary pres-  
11 ident of the senate, two members appointed by the speaker of the assem-  
12 bly, and three members appointed by the governor shall serve for terms  
13 of three years. Public members shall be eligible for reappointment. They  
14 shall serve until their successors are appointed and qualified, and the  
15 term of the successor of any incumbent shall be calculated from the  
16 expiration of the term of that incumbent. A vacancy occurring other than  
17 by expiration of term shall be filled within forty-five days in the same  
18 manner as the original appointment but for the unexpired term only.

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

22 4. The secretary of state, or his or her designee, shall serve as the  
23 chair and the commissioner of education, or his or her designee, shall  
24 serve as the vice-chair of the commission. The presence of a majority of  
25 the authorized membership of the commission shall be required for the  
26 conduct of official business.

27 5. The department of education shall provide technical assistance and  
28 data to the commission as may be necessary for the commission to carry  
29 out its responsibilities pursuant to this article.

30 § 2. Subdivision 3 of section 57.53 of the arts and cultural affairs  
31 law, as added by chapter 404 of the laws of 2005, is amended to read as  
32 follows:

33 3. to prepare reports for the governor, the board of regents, and the  
34 legislature regarding its findings and recommendations on facilitating  
35 the inclusion of the African slave trade, American slavery studies,  
36 African-American history and special programs in the educational system  
37 of the state.

38 § 3. This act shall take effect immediately.