

8458--B

1997-1998 Regular Sessions

IN ASSEMBLY

June 26, 1997

Introduced by COMMITTEE ON RULES -- (at request of M. of A. Eve, Silver, Tokasz, Farrell, Gantt, Hoyt, Keane, Pillittere, Vann, Reynolds, Aubry, Clark, Perry, Smith, Bea, Boyland, Cook, Davis, Griffith, Hill, Meeks, Norman, Ortiz, Hreblow, Scarborough, Schiminger, Towns, Anderson, Wirth) -- read once and referred to the Committee on Tourism, Arts and Sports Development -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law and the parks, recreation and historic preservation law, in relation to creating the New York state freedom trail program

on demand 5642A (VOLKER)

DATE RECEIVED BY GOVERNOR:

8/29

ACTION MUST BE TAKEN BY:

7/10

DATE GOVERNOR'S ACTION TAKEN:

SEP 10 1997

SENATE VOTE Y N

HOME RULE MESSAGE Y N

DATE

BILL IS DISAPPROVED

ASSEMBLY VOTE 146 Y 0 N

DATE

DATE 8/3

000002 COUNSEL TO THE GOVERNOR

C-574

A 8458

**NEW YORK STATE ASSEMBLY
MEMORANDUM IN SUPPORT OF LEGISLATION
Submitted in accordance with Assembly Rule III, § 1(e)**

**Bill Number: Assembly A.8458-A Senate S.5642-A Memo on original draft
 X Memo on amended bill**

Sponsors: Members of Assembly: Eve

Senators: Volker

Introduced at the request of: Eve

TITLE

AN ACT to amend the education law, the parks, recreation and historic preservation law, and the arts and cultural affairs law, in relation to creating the New York State freedom trail program.

PURPOSE OR GENERAL IDEA OF BILL:

This bill establishes the New York State Freedom Trail program to preserve, educate and commemorate the national freedom trail and the underground railroad.

SUMMARY OF SPECIFIC PROVISIONS:

- Section 1 - Establishes the New York State freedom trail program.**
- Section 2 - Legislative findings and intent.**
- Section 3 - Amends the education law by adding section 233-b which establishes the New York State freedom trail commission and sets forth the responsibilities of the commission.**

Amends the education law by adding section 233-c which directs the commissioner of the State Education Department to conduct a study which would assist the Freedom Trail Commission in developing a plan.
- Section 4 - Amends subdivision 1 and 3 of § 801 of the education law to require the regents to include the freedom trail and underground railroad in its prescribed courses of instruction to be maintained and followed in all schools within New York State.**
- Section 5 - Amends § 19.03 of the parks, recreation and historic preservation law by adding subdivision 4 which requires the commissioner to cooperate with the education department and the New York State freedom trail commission.**

JUSTIFICATION:

BACKGROUND

On May 15, 1997, Congressmen Louis Stokes (D-Ohio) and Rob Portman (R-Ohio) introduced HR 1635- The National Underground Railroad Network to Freedom Act of 1997. The congressional proposal would authorize the National Parks Department to coordinate and facilitate federal and non-federal activities that would honor and help people learn more about the Underground Railroad. In the Senate the bill is sponsored by Senators Carol Moseley-Braun (D-Ill) and Mike DeWine (R-Ohio). The bill enjoys exceptional bipartisan support in both houses. The sponsors expect the proposal to pass this session. The establishment of the New York State Freedom Trail, this session, will put New York in an excellent position to participate in the development of the national network.

New York State has many nationally recognized Underground Railroad sites. There are sites in almost every municipality within the state. Sites range from hotels and homes to businesses and places of worship. Historically, New York was either a final stop or a temporary resting site on the road to Canada. New York was a refuge for thousands of courageous escaping slaves who were helped along the way by a network of brave men and women. New Yorkers of every creed and ethnic background, from all walks of life, rallied to the anti-slavery cause and formed a powerful network which sustained the growing movement decade after decade.

New York State was the home of Frederick Douglass, abolitionist governors such as William Seward, and underground railroad conductors such as Harriet Tubman and Sojourner Truth.

The underground railroad was a success due to the uncommon trust and cooperation between the conductors and the conductees. Without the establishment of a historical program, New York's documented and undocumented underground railroad sites are in danger of being lost or forgotten, along with the names of those who were the heroes and heroines.

Canada has undertaken a number of projects to commemorate the role its' citizens played in the success of the underground railroad. Just last year the Niagara Region Tourist Council produced a guidebook and an African American Heritage Tour. It is time for New York to officially document and recognize the sacrifices and contributions of those who sought freedom here and those who helped them reach the promise of freedom.

PRIOR LEGISLATIVE HISTORY:

New Bill

FISCAL IMPLICATIONS FOR STATE AND LOCAL GOVERNMENT:

Minimal

EFFECTIVE DATE:

Immediately

FRIDAY, AUGUST 1, 1997

OFF THE FLOOR--TOURISM, ARTS AND SPORTS DEVELOPMENT (TOKASZ)

Assembly Print:

8458-A

COM. ON RULES--

(Eve, Silver, Tokasz, Farrell, Gantt, Hoyt, Keane, Pillittere, Vann, Reynolds, Aubry, Clark, Perry, Smith, Bea, Boyland, Cook, Davis, Griffith, Hill, Meeks, Norman, Ortiz, Pretlow, Scarborough, Schimminger, Towns, Anderson, Wirth)

An act to amend the education law, the parks, recreation and historic preservation law, and the arts and cultural affairs law, in relation to creating the New York state freedom trail program and making an appropriation therefor

010009



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

September 10, 1997

MEMORANDUM filed with Assembly Bill Number 8458-B, entitled:

CHAPTER 574
APPROVAL #66

"AN ACT to amend the education law and the parks, recreation and historic preservation law, in relation to creating the New York state freedom trail program"

APPROVED

The bill enacts the "New York State Freedom Trail Program". The bill creates the New York State Freedom Trail Commission to work with the Education Department and the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) to protect, preserve and promote New York State's important role in the Underground Railroad. The Commission is directed to undertake a study to identify important sites within the State. Finally, the Board of Regents is required to include materials about this important part of New York State history in the public school curriculum.

Many New York residents played pivotal roles in the struggle to end slavery, and numerous cities and towns across the state contain significant historic sites associated with the Antislavery Movement. Buffalo's importance as a pass-through location for runaway slaves is commemorated at Broderick Park, once the embarkation point of a ferry which carried fugitives to Canada. Harriet Tubman, who led hundreds of slaves to freedom on the Underground Railroad, resided in Auburn for over fifty years. Frederick Douglass lived and worked in Rochester for more than twenty-five years and is buried there; John Brown is buried at his farm in North Elba. Gerrit Smith, a central organizer and financial supporter of the Freedom Trail, assisted many runaway slaves through his estate in Peterboro; and a group of properties in the town of Mexico--including the homes of Abolitionists and at least one stop on the Underground Railroad--recall the commitment of numerous citizens of that northern New York community to the abolition of slavery.

Despite New York's strong involvement in the Antislavery Movement and the Underground Railroad, very few sites have been formally recognized and preserved. Many of the resources associated with the Underground Railroad have yet to be identified and are fragile and threatened. Many may have already been lost. More will be lost unless the State takes action to identify, record and preserve this very important part of New York's heritage.

I am approving this measure today to make sure that these important historic resources are identified, recorded and preserved. In addition, this bill ensures that all children will learn about the historical significance of the Freedom Trail and the Underground Railroad.

This bill is approved.

SENATE
No.Introduced by:
RulesASSEMBLY
No. 8458-B

Law: Education

Sections: 233

Division of the Budget recommendation on the above bill:

Approve: _____ Veto: _____ No Objection: X No Recommendation: _____1. Subject and Purpose:

The purpose of this bill is to commemorate, and to enhance the study of, the National Freedom Trail and Underground Railroad and its role in the abolition of slavery.

2. Summary of Provisions:

Effective immediately, this bill would:

- create a New York State Freedom Trail Commission consisting of twelve appointed members as well as certain State officers (e.g., the Commissioner of Education and the Commissioner of Parks, Recreation and Historic Preservation);
- require the New York State Freedom Trail Commission to conduct a study documenting the history of the Freedom Trail and Underground Railroad; and
- require the Regents to include the Freedom Trail and Underground Railroad in its prescribed courses of instruction in New York schools.

3. Legislative History:

This is a new bill.

4. Arguments in Support:

Given the vast number of homes, churches and shops in New York that were a part of the Underground Railroad and the number of New Yorkers who played a critical role in the anti-slavery movement, it could be seen as incumbent upon the State to create a mechanism to document and preserve New York's role in this important part of American history.

5. Arguments in Opposition:

Because the Freedom Trail and Underground Railroad is already part of the established 7th and 8th grade history curricula in New York's schools, the prescriptive language in this bill

could be seen as an unnecessary mandate on public and private schools.

6. Other State Agencies Interested:

The State Education Department has not yet taken a position on this bill. The Office of Parks, Recreation and Historic Preservation supports this bill.

7. Other Interested Groups:

The New York State School Boards Association has taken no position on this bill.

8. Budget Implications:

This bill presents no new significant costs to the State; however, any administrative or publication costs associated with the Commission and its studies would be borne by the State Education Department.

9. Recommendation:

This bill, which creates the New York State Freedom Trail Commission and requires the instruction of the Freedom Trail and Underground Railroad in New York schools, has no significant cost implications for the State. Therefore, the Division of the Budget has no objection to this bill.

Date: August 8, 1997

ε

DA

000012

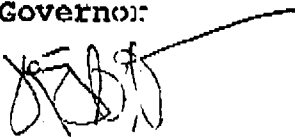


THE STATE EDUCATION DEPARTMENT/THE UNIVERSITY OF THE STATE OF NEW YORK/ALBANY, N.Y. 12234

COUNSEL AND DEPUTY COMMISSIONER FOR LEGAL AFFAIRS

August 18, 1997

TO: Counsel to the Governor:

FROM: Kathy A. Ahearn 

SUBJECT: A.8458-B

RECOMMENDATION: Approval

REASON FOR RECOMMENDATION:

This bill would add two sections 233-b and 233-c to the Education Law to create the New York State Freedom Trail Program. Specifically, this bill would establish the New York State Freedom Trail Commission comprised of members appointed by the Governor, Legislature, the Board of Regents, and other members including, the Commissioner of Education, the Head of the State Museum, State Archives and the Office of State History. This bill would require the Commission to review and assist in the implementation of a master plan in conjunction with Federal authorities; sponsor commemorations, linkages, seminars and public forum; assist, encourage, and promote the making of applications for inclusion on the National or State registers of historic places; and develop partnerships and seek funds to carry out activities to protect, preserve, and promote the important legacy and lessons of the Freedom Trail and Underground Railroad in New York State. In addition, the Commission would be required to conduct a study, which would among other things, document the history of the Freedom Trail and Underground Railroad including identifying sites most likely to be eligible for inclusion on the National or State Registers of historic places. This bill also would amend subdivisions 1 and 3 of section 801 of the Education Law to require the Board of Regents to include the Freedom Trail and Underground Railroad in the course of study to be followed by all schools within New York State.

The State Education Department recommends approval of this bill which will help document and preserve the history of the Freedom Trail and the Underground Railroad. This bill will assist in the preservation of the numerous recognized Underground Railroad sites in New York State. These sites are an important part of New York State's history and should be preserved for the benefit of all citizens. In addition, this bill ensures that all children will learn about the historical significance of the Freedom Trail and Underground Railroad.

000013



New York State Office of Parks, Recreation and Historic Preservation
The Governor Nelson A. Rockefeller Empire State Plaza
Agency Building 1, Albany, New York 12238

A8458

518-474-0456

Human Resources
518-474-0453

Fiscal Management
518-474-0061

TDD: 518-486-1899

M E M O R A N D U M

August 21, 1997

TO: Michael C. Finnegan
Counsel to the Governor Office

RE: A.8454-B / S.5642-A

RECOMMENDATION: Approve

The Office of Parks, Recreation and Historic Preservation recommends that this bill to amend the State Education Law and the Parks, Recreation and Historic Preservation Law, in relation to creating the New York State Freedom Trail Program be approved.

This legislation would establish within the State Education Department, a New York State Freedom Trail Commission. This twelve person commission will be comprised of private individuals and state government officials, including the Commissioners of Education, Economic Development and the Office of Parks Recreation and Historic Preservation.

The Office of Parks, Recreation and Historic Preservation acknowledges the strong contribution of New Yorkers to the establishment of the underground railroad. The New York State Office of Parks, Recreation and Historic Preservation has been concerned that historic resources associated with African-Americans are under represented throughout the state. Through the leadership of the State's Historic Preservation Officer, Commissioner Bernadette Castro, Historic Preservation bureau staff have undertaken the preparation of a "Guide to the Survey of Historic Resources associated with African-Americans"; that publication will soon be finalized and will be useful in completing the activities contemplated by this legislation.

It is important to note, that this legislation complements legislation which has been introduced in Congress, requiring the National Park Service to identify sites associated with the underground railroad throughout the country. Approval of state legislation, will position New York to fully participate with the National Park Service, should the Federal legislation be enacted.

000014

A.8454-B / S.5642-A
Page 2
August 22, 1997

The sponsors did make substantial amendments to the legislation, including the deletion of an appropriation to support the purpose of the bill. While additional financial resources would expedite the activities required by this legislation, ORPHP can fulfill the requirements of this bill within the resources presently available to the agency.

ORPHP shares, the sponsor's concern, that most sites associated with the Freedom Trail are in jeopardy of being forever lost. This legislation will provide a legislative framework in which to begin the process of identifying, documenting and preserving some of the most important resources associated with New York's African-American citizens. For that reason, OPRHP recommends that the Governor approve this measure.

Dominic Jacangelo
Director of Marine, Coastal and
Legislative Program Development

DJJ:DCS
97: #I27091

000015



New York State Office of Parks, Recreation and Historic Preservation
The Governor Nelson A. Rockefeller Empire State Plaza
Agency Building 1, Albany, New York 12238

518-474-0456
Human Resources
518-474-0453
Fiscal Management
518-474-0061
TDD: 518-486-1899

M E M O R A N D U M

DATE: August 27, 1997
TO: Susan Read - Deputy Counsel to the Governor
FROM: Dominic Jacangelo *DJ*
SUBJECT: A-8458-B Freedom Trail Legislation

=====
Considering the Governor's possible approval of this legislation I wanted to bring to your attention a workshop that the Historic Preservation Field Service Bureau of the State Office for Parks, Recreation and Historic Preservation will be holding on 9-12 in New York City.

If you think it would be to the Governor's benefit, an approval message and/or media release may be appropriate regarding this bill. Obviously, we would appreciate any mention or tie in to the workshop should the Governor's action be so timed.

The sponsors are Eve and Volker.

DJJ:dcs
97: #15911

P.S. Thank you for following through on Saratoga Lake and thanks so much for the "Pen Certificates." I know the Commissioner appreciated them.

Thank you!

070016

Folder



**New York State Office of Parks,
Recreation & Historic Preservation**
Historic Preservation Field Services Bureau
(State Historic Preservation Office)
Peebles Island, PO Box 189 • Waterford, NY 12188
(518) 237-8643

YOU'RE INVITED . . .

to a workshop that will provide an introduction to identifying, evaluating and interpreting properties associated with African-American history in New York State. Learn about the *Guide to the Survey of Historic Resources Associated with African-Americans* and the New York State and National Registers of Historic Places. Participants will be encouraged to share their knowledge and experiences. The State Historic Preservation Office staff will be available to answer questions and provide assistance.

September 12, 1997

4:00 to 7:00 pm

First Floor Hearing Room

New York City Landmarks Preservation Commission
100 Old Slip • New York, New York 10005

You are also welcome to attend the all-day meeting of the New York State Board for Historic Preservation, beginning at 10:00 am, in the same hearing room. See how properties are nominated to the New York State and National Registers of Historic Places.

WE HOPE YOU WILL JOIN US!

R.S.V.P. by **September 5, 1997** or for more information,
call **Bob Kuhn** at (518) 237-8643, ext. 255.

000017



New York State Office of Parks, Recreation and Historic Preservation
The Governor Nelson A. Rockefeller Empire State Plaza
Agency Building 1, Albany, New York 12238

518-474-0456

Human Resources
518-474-0453

Fiscal Management
518-474-0061

TDD: 518-486-1899

M E M O R A N D U M

August 21, 1997

CORRECTION

TO: Michael C. Finnegan
Counsel to the Governor Office

RE: **A. 8458-B / S.5642-A**

RECOMMENDATION: Approve

The Office of Parks, Recreation and Historic Preservation recommends that this bill to amend the State Education Law and the Parks, Recreation and Historic Preservation Law, in relation to creating the New York State Freedom Trail Program be approved.

This legislation would establish within the State Education Department, a New York State Freedom Trail Commission. This twelve person commission will be comprised of private individuals and state government officials, including the Commissioners of Education, Economic Development and the Office of Parks Recreation and Historic Preservation.

The Office of Parks, Recreation and Historic Preservation acknowledges the strong contribution of New Yorkers to the establishment of the underground railroad. The New York State Office of Parks, Recreation and Historic Preservation has been concerned that historic resources associated with African-Americans are under represented throughout the state. Through the leadership of the State's Historic Preservation Officer, Commissioner Bernadette Castro, Historic Preservation bureau staff have undertaken the preparation of a "Guide to the Survey of Historic Resources associated with African-Americans"; that publication will soon be finalized and will be useful in completing the activities contemplated by this legislation.


It is important to note, that this legislation complements legislation which has been introduced in Congress, requiring the National Park Service to identify sites associated with the underground railroad throughout the country. Approval of state legislation, will position New York to fully participate with the National Park Service, should the Federal legislation be enacted.

000018

A.8458-B / S.5642-A
Page 2
August 21, 1997

The sponsors did make substantial amendments to the legislation, including the deletion of an appropriation to support the purpose of the bill. While additional financial resources would expedite the activities required by this legislation, ORPHP can fulfill the requirements of this bill within the resources presently available to the agency.

OPRHP shares, the sponsor's concern, that most sites associated with the Freedom Trail are in jeopardy of being forever lost. This legislation will provide a legislative framework in which to begin the process of identifying, documenting and preserving some of the most important resources associated with New York's African-American citizens. For that reason, OPRHP recommends that the Governor approve this measure.



Dominic Jacangelo
Director of Marine, Coastal and
Legislative Program Development

DJJ:DCS
97: #I27091

000019



FAX SHEET

New York State Office of Parks, Recreation and Historic Preservation
The Governor Nelson A. Rockefeller Empire State Plaza
Agency Building 1, Albany, New York 12238

Bernadette Castro, *Commissioner*

TO: Nick Garlick, 48099

FROM: DOMINIC JACANGELO

DATE: 48099

NUMBER OF PAGES 2 INCLUDING THIS COVER SHEET.

CALL DONNA STARKS AT (518) 474-7336 IF YOU HAVE ANY QUESTIONS.

CONFIRMATION NEEDED: YES NO

NOTES:



New York State Office of Parks, Recreation and Historic Preservation
 The Governor Nelson A. Rockefeller Empire State Plaza
 Agency Building 1, Albany, New York 12238

518-474-0456

Human Resources
518-474-0453Fiscal Management
518-474-0081

TDD: 518-486-1899

AN ACT to amend the education law and the parks, recreation and historic preservation law, in relation to creating a the New York state freedom trail program.

A P P R O V E D

Many New York residents - both black and white - played pivotal roles in the struggle for liberation from slavery, and numerous cities and towns across the state contain significant historic resources associated with the abolition movement. Buffalo's importance as a pass-through location for fugitive slaves is commemorated at Broderick Park, once the embarkation point of a ferry which carried fugitives to Canada. Harriet Tubman, an escaped slave who led hundreds of slaves to freedom on the Underground Railroad, resided in Auburn for over fifty years. Frederick Douglass, also an escaped slave, lived and worked in Rochester for more than twenty-five years and was buried there. John Brown who was hanged for his role in the abolition movement, is buried at his farm in North Elba. Gerrit Smith, a central organizer and financial supporter of the Freedom Trail, assisted many escaped slaves through his estate in Peterboro. And a group of properties in the town of Mexico - including the homes of abolitionists and at least one stop on the Underground Railroad, - recall the commitment of numerous citizens of that northern New York community to the goals of abolition.

Despite New York's strong involvement in the abolition movement and the Underground Railroad very few sites have been formally recognized for their association with this important period in our country's history.

Many of the resources associated with the Underground Railroad are anonymous, fragile and threatened and have been previously lost. Many additional resources will be lost unless we take action to identify, record and preserve this very important part of New York's heritage.

I am approving this measure today to establish the Freedom Trail Program and Commission with the acknowledgement that this will be one step in accomplishing the goal of identifying, recording and preserving these important historic resources. I urge Congress to take a similar step in moving legislation such as the

"National Underground Railroad Network to Freedom Act" so that
this important heritage will be preserved throughout the country.

000022