

~~requirements relating to transportation, possession and sale, provided that such regulations are no less restrictive than requirements set forth in this chapter.~~

~~2. The commercial possession limit for blackfish (tautog) shall be 25 per trip per vessel.~~

~~§ 2. Subdivision 19 of section 13-0343 of the environmental conservation law is amended by adding a new paragraph f to read as follows:~~

~~f. The use of gill or trammel nets for the taking of blackfish is prohibited.~~

~~§ 3. Section 13-0343-a of the environmental conservation law is amended by adding a new subdivision 5 to read as follows:~~

~~5. No person shall return a fish pot or trap which contains fish to the water.~~

~~§ 4. This act shall take effect on the thirtieth day after it shall have become a law.~~

CHAPTER 574

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

Became a law September 10, 1997, with the approval of the Governor.
Passed by a majority vote, three-fifths being present.

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

Section 1. This act shall be known and may be cited as the "New York state freedom trail program act".

§ 2. Legislative findings and intent. New York state had a myriad of underground railroad stops in: places of worship, barns, homes, and shops. Historically, New York was either a final stop or a temporary resting site on the road to freedom for thousands of courageous escaping slaves who were helped along the way by a clandestine 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 and sustained the growing movement decade after decade. Every city, town, and hamlet has examples of the sites and the activities of the underground railroad movement. They were inspired by such conductors as Harriet Tubman and Sojourner Truth, by such newspaper editors and orators as Frederick Douglass, and by abolitionist governors such as William Seward, and many others.

The underground railroad succeeded as a result of an uncommon trust and cooperation between the conductors and the conductees. Without the establishment of a historical program, New York's documented and yet-to-be documented underground railroad sites are in danger of being lost or forgotten, along with the names of those who are the heroes and heroines.

It is fitting and just for New York state to officially document and recognize the sacrifices and contributions of those who sought freedom here and those who helped them reach for the promise of freedom.

§ 3. The education law is amended by adding two new sections 233-b and 233-c to read as follows:

§ 233-b. *New York state freedom trail commission. 1. a. There is hereby established within the department the New York state freedom trail commission. The commission shall consist of twelve members, to be appointed as follows: three members to be appointed by the governor, three members to be appointed by the board of regents, two members to be appointed by the temporary president of the senate, one member to be appointed by the minority leader of the senate, two members to be appointed by the speaker of the assembly, and one member to be appointed by the minority leader of the assembly. Such members shall be representative of academic or public historians, corporations, foundations, historical societies, civic organizations, and religious denominations. In addition, the following state officers, or their designees,*

shall serve as members of the commission: the commissioner of education, the head of the state museum, the head of the state archives, the head of the office of state history, the commissioner of economic development, the head of the state tourism advisory council, and the commissioner of parks, recreation and historic preservation.

b. The commission shall begin functioning upon the appointment of a majority of its members. The chair of the commission shall be chosen by the members of the commission for a three year term. Commission members, other than *ex officio* members, shall serve for terms of five years and vacancies shall be appointed in the same manner as provided for original appointments.

c. The department and the office of parks, recreation and historic preservation may provide the commission with such staff, equipment, and facilities as it may need.

2. As part of its responsibilities the commission shall be charged with reviewing and assisting in the implementation of a master plan in conjunction with federal authorities; sponsoring commemorations, linkages, seminars and public forum*; assisting, encouraging, and promoting the making of applications for inclusion on the national or state registers of historic places by the parties eligible to do so and the inclusion of such places therein; and developing partnerships and seeking private and public funds to carry out activities to protect, preserve, and promote the important legacy and lessons of the freedom trail and the underground railroad in New York state.

3. The commission shall report annually to the governor, the legislature, and the board of regents for a period of five years from the date of establishment of the commission, but beginning no later than January first, nineteen hundred ninety-nine.

§ 233-c. Study. The commissioner shall conduct a study which shall include, but not be limited to, documenting 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, or both; providing for the historic research and compilation of contemporaneous reports and records necessary to document the underground railroad sites in New York state, as well as the contributions of individuals and organizations who participated in the activities of the underground railroad; and developing cultural and historic guidebooks, local histories and the publication of public and private documents relating to the underground railroad. The commissioner shall consult with the commissioner of the office of parks, recreation and historic preservation and the national park service in the conduct of the study.

§ 4. Subdivisions 1 and 3 of section 801 of the education law, as amended by chapter 697 of the laws of 1996, 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, 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, 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

* So in original. ("*forum*" probably should be "*forums*".)

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

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.

§ 5. Section 19.03 of the parks, recreation and historic preservation law is amended by adding a new subdivision 4 to read as follows:

4. *Cooperate with the department of education and the New York state freedom trail commission in the performance of their duties in connection with the freedom trail and underground railroad.*

§ 6. This act shall take effect immediately.

~~CHAPTER 575~~

~~AN ACT authorizing the county of Suffolk to discontinue its use of certain lands as park lands and to convey such lands to the South Huntington Water District for a well and tank site~~

~~Became a law September 10, 1997, with the approval of the Governor. Passed on Home Rule request pursuant to Article IX, section 2(b) (2) of the Constitution by a majority vote, three-fifths being present.~~

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

~~Section 1. Notwithstanding any other provision of law, the county of Suffolk is hereby authorized to discontinue the use as park lands and to sell the lands described in section two of this act at private sale to the South Huntington water district. Such sale shall be for no less than fair market value and shall be on such other terms, conditions and provisions as the Suffolk county legislature may determine. The net proceeds and consideration received from the sale of the lands described in section two of this act shall be used for the acquisition of additional park lands and/or for capital improvements to existing park lands. The lands described in section two of this act shall be used by the South Huntington water district for a well and tank site to provide additional storage and supply capacity for such water district.~~

~~§ 2. The lands referred to in section one of this act are described as follows: all that tract, piece or parcel of land situate, lying and being in the Town of Huntington, County of Suffolk, State of New York more particularly described as follows: Beginning at a point in the easterly boundary of Mt. Misery Road in the Town of Huntington, County of Suffolk, State of New York, which point is approximately 400 feet southerly of the intersection of the easterly boundary of Mt. Misery Road with the southerly boundary of the northern state parkway; thence in a generally southerly direction along the easterly boundary of said Mt. Misery Road 700 feet ± to a point in the easterly boundary of said Mt. Misery Road; thence in a generally easterly direction on a line perpendicular to the easterly boundary of Mt. Misery Road a distance of 350 feet ± to a point; thence in a generally northerly direction on a line parallel to the easterly boundary of said Mt. Misery Road 700 feet ± to a point; thence in a generally westerly direction 350 feet ± to the point and place of beginning, being a rectangular shaped parcel of land comprising 5.65 ± acres.~~

~~§ 3. This act shall take effect immediately.~~