

CHAPTER 11

(HB 24)

AN ACT relating to the Underground Railroad.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

SECTION 1. A NEW SECTION OF KRS CHAPTER 171 IS CREATED TO READ AS FOLLOWS:

As used in Sections 1 to 3 of this Act:

- (1) *"Commission" means the Kentucky African-American Heritage Commission.*
- (2) *"Council" means the Underground Railroad Advisory Council established in Section 3 of this Act.*
- (3) *"Underground Railroad" means the escape of African-American slaves from or through Kentucky.*

SECTION 2. A NEW SECTION OF KRS 171.800 TO 171.830 IS CREATED TO READ AS FOLLOWS:

The commission shall coordinate Kentucky's Underground Railroad initiative in accordance with Section 4 of this Act. The commission's duties as they relate to this initiative shall include but not be limited to the following:

- (1) *Undertake a comprehensive statewide inventory of historic sites related to the Underground Railroad, and implement a master plan for site protection and development;*
- (2) *Encourage and assist the state preservation officer within the Kentucky Heritage Council to nominate significant historical sites of the Kentucky Underground Railroad to the national and state registers of historic places;*
- (3) *Develop and operate, in conjunction with the Tourism Development Cabinet, a program of public information, education, and promotion of the history of the Underground Railroad in Kentucky, to include but not be limited to implementing and maintaining a website connected to the Tourism Development Cabinet;*
- (4) *Coordinate with local, state, and federal authorities in project planning that may affect Underground Railroad sites in Kentucky and neighboring states;*
- (5) *Consider the council's recommendations, and contingent on review by the council, present to the secretary of the Education, Arts, and Humanities Cabinet an annual report and plan for future action; and*
- (6) *Pursue public and private funds to carry out the duties set forth in this section.*

SECTION 3. A NEW SECTION OF KRS 171.800 TO 171.830 IS CREATED TO READ AS FOLLOWS:

An Underground Railroad Advisory Council shall be established within the commission.

- (1) *The council shall consist of thirteen (13) members, as follows:*
 - (a) *Secretary of the Education, Arts, and Humanities Cabinet, or designee;*
 - (b) *Secretary of the Tourism Development Cabinet, or designee;*

- (c) *Secretary of the Transportation Cabinet, or designee;*
 - (d) *Director of the Kentucky Historical Society, or designee;*
 - (e) *State historic preservation officer of the Kentucky Heritage Council, or designee;*
 - (f) *Chair of the commission or designee;*
 - (g) *Director of the Underground Railroad Institute at Georgetown College, or designee;*
 - (h) *Two (2) members of the General Assembly who hold an interest in the Underground Railroad, one (1) appointed by the President of the Senate and one (1) appointed by the Speaker of the House of Representatives;*
 - (i) *Two (2) at-large representatives who hold an interest in the protection, preservation and promotion of the history of the Underground Railroad in Kentucky, appointed by the Governor;*
 - (j) *One (1) member of the board or staff of the National Underground Railroad Freedom Center who resides within a county of the Northern Kentucky Area Development District; and*
 - (k) *One (1) member of the board or staff of the National Underground Railroad Museum who resides within a county of the Buffalo Trace Area Development District.*
- (2) *The duties of the council shall be to:*
- (a) *Advise and assist the commission with respect to issues and opportunities related to the Underground Railroad; and*
 - (b) *Annually review and make recommendations to the commission on the annual report and plan for future action.*
- (3) *Members of the council shall be appointed for four (4) year terms, except that initial appointments for the two (2) at-large members shall be made so that one (1) member is appointed for two (2) years, and one (1) member is appointed for three (3) years. Sitting members shall be eligible for reappointment.*
- (4) *The chair of the commission shall serve as chair of the council.*
- (5) *The council shall meet annually or more frequently at the request of the chair.*
- (6) *Six (6) members shall constitute a quorum for conducting business.*
- (7) *In the event of a vacancy, the appropriate appointing entity shall appoint a replacement member who shall hold office during the remainder of the term so vacated.*
- (8) *Members of the council shall serve without compensation.*

Section 4. KRS 171.805 is amended to read as follows:

- (1) The Kentucky African-American Heritage Commission shall be dedicated to the preservation and protection of all meaningful vestiges of Kentucky's African-American heritage.
- (2) The duties and functions of the commission shall be to:
 - (a) Advise the secretary of the Education, Arts, and Humanities Cabinet and agencies within the cabinet on matters relating to African-American heritage.

- (b) Encourage other public and private agencies within the areas of the arts, the humanities, and the sciences to incorporate the African-American influence when developing programs on the history and heritage of Kentucky.
- (c) Represent a network of groups and individuals interested or involved in promoting awareness of African-American heritage in Kentucky.
- (d) Advocate the preservation, conservation, and interpretation of significant buildings, sites, neighborhoods, documents, artifacts, and lifeways that represent and embody African-American heritage.
- (e) Recognize and sanction projects which advance wider knowledge of African-Americans' impact on life in Kentucky.
- (f) *Coordinate an initiative to protect, preserve, and promote the history of the Underground Railroad in Kentucky, in accordance with Section 2 of this Act.*

SECTION 5. A NEW SECTION OF KRS CHAPTER 12 IS CREATED TO READ AS FOLLOWS:

The Education, Arts, and Humanities Cabinet shall be charged with the purpose of protecting, preserving, and promoting the history of the Underground Railroad in Kentucky in accordance with Sections 1, 2, 3, and 4 of this Act. The Secretary of the Education, Arts, and Humanities Cabinet shall receive an annual report from the Kentucky African-American Heritage Commission in accordance with subsection (5) of Section 2 of this Act, and shall review and submit the annual report to the Governor and the Legislative Research Commission for distribution to the appropriate committees.

Section 6. This Act shall be implemented by the Kentucky African-American Heritage Commission to the extent that grant funds can be secured or funds from federal, state, or local agencies are available for the purposes of this Act.

Approved March 7, 2003