



P. O. Box 1533, Ellicott City, Maryland 21041 [www.cpmbms.org](http://www.cpmbms.org)

**Re: HB 1512 Support with Amendments** HB1512\_CPMBS\_EMcGuckian.pdf

**Hearing before House Health & Government Operations Committee March 10, 2020**

Two years ago I was here with Del. Tony Knotts to describe the Cemetery Preservation Act of 2018, which proposed 10 changes to Maryland law that would help the dire situation of many of the estimated 10,000 burial sites in our state. Three of our proposals were unanimously passed by the General Assembly and signed by the Governor. They are making a difference, in helping descendants to gain access to family graves and requiring owners to consult with the MHT about situations involving grave sites older than 50 years.

I appear today on behalf of the Coalition to Protect Maryland Burial Sites in favor of HB1512. Our all-volunteer organization formed in 1991 in response to a horrific situation in Howard County and since then has been dedicated to identifying, protecting, and preserving cemeteries in Maryland. Today we're talking specifically about African American burial sites, which I estimate comprise about 1/3 of the known cemeteries in Maryland and about 1/2 of those lost and unknown.

***Our Coalition supports this bill, for the following reasons:***

- This is a strong step in recognizing the needs of a large segment of Maryland burial sites. Free and enslaved blacks played a long and huge role in Maryland history. Most counties have not inventoried the known cemeteries within their borders, and few have enacted local laws to protect cemeteries.
- The needs of individual African American burial sites are huge. Each year more are vandalized, ignored, and lost to erosion, neglect, and development. And African American cemeteries are more likely to lack adequate documentation, have deteriorated grave markers, and include many unmarked graves. They are likely to be cared about by individuals and groups that lack adequate resources to reverse this downward spiral.

That said, ***I respectfully request specific amendments to the bill as written.*** If these concerns are not addressed, this bill will be of little use.

**--date limitations** – limiting establishment date to period 1800-1900 leaves out sites such as Catocin Furnace Cemetery in Frederick County, where Revolutionary Era industrial workers are buried, and 20<sup>th</sup> century sites such as those started by Moses Lodge beneficial society that helped black families in Baltimore and Montgomery Counties to obtain insurance, burial funds, and sick benefits in the Jim Crow era.

**--definition of “qualified organization”** -- Beyond the fact that IRS does not permit cemeteries to be 501c3 status (it only accepts applications for 501c13), most of the neediest cemeteries are not championed by totally organized groups. Think last remnants of a former congregation, descendants who have moved away, overwhelmed neighbors who see a need and seek assistance. This definition shuts out sites such as Haiti Cemetery in Montgomery County, which has for decades been persuading descendants to move title to a new nonprofit group.

**--activities permitted** – limiting use to routine maintenance and erecting markers, monuments, or memorials doesn't recognize the value of research, mapping boundaries, preservation of records, survey, conservation plans, or workshops for volunteers willing to assist. Brown Family Cemetery and Old Saints Rest, founded in the early 20<sup>th</sup> century in Anne Arundel County, have both fallen into neglect, with unmarked graves, need for mapping, and unsurety about boundaries of burials.

**--how fund will operate** – no need to re-invent the wheel. Best to create a set-aside for cemeteries as part of the successful African American Heritage Preservation Grant Program. Sites such as Friendship Tabernacle Cemetery in Harford County and Bozman Cemetery in Talbot simply need a source of funding to pay for tree removal and mapping grave locations.

I am happy to answer your questions.

Eileen McGuckian, president  
Coalition to Protect Maryland Burial Sites, Inc.  
[Phileen3@verizon.net](mailto:Phileen3@verizon.net) 301-468-7331

References:

[https://mht.maryland.gov/documents/PDF/research/Burial\\_Law.pdf](https://mht.maryland.gov/documents/PDF/research/Burial_Law.pdf)

[www.cpmbs.org](http://www.cpmbs.org)