



Maryland
DEPARTMENT OF PLANNING
MARYLAND HISTORICAL TRUST

HEARING DATE: March 10, 2020

BILL NO: HB1512

COMMITTEE: Health and Government Operations

POSITION: Letter of Information with Amendments

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TITLE:

Historic African American Cemeteries Preservation Fund

BILL ANALYSIS:

HB1512 would establish an Historic African American Cemeteries Preservation Fund and require the Maryland Department of Planning (Planning) to administer the Fund. Grants from the Fund may be awarded to 501(c)(3) organizations and persons or political subdivisions that own historic African American cemeteries, which are defined as cemeteries established on or after 1/1/1800, but before 1/1/1900. Grants may be sought for routine maintenance of cemeteries, and the erection and maintenance of markers, memorials, and monuments.

HB1512 requires Planning to determine the annual appropriation to the Fund that is required to be appropriated by the Governor by multiplying the average annual cost of grave, monument or marker maintenance by the number of graves, monuments and markers within historic African American cemeteries in the State.

POSITION AND RATIONALE:

Cemeteries and graveyards face many preservation challenges. Development, abandonment, vandalism, and damage and decay caused by natural forces all threaten the survival of these complex cultural landscapes. The preservation needs of cemetery properties vary broadly

depending upon what is already known about a cemetery, who is charged of caring for the cemetery, cemetery ownership and access, and the physical condition of the property.

HB1512 would create a new preservation tool for historic African American cemeteries. However, certain types of cemetery preservation activities covered by the bill **are already eligible** for grant funding under existing programs. As noted in the following chart, capital cemetery preservation activities are eligible under the GO Bond funded African American Heritage Preservation (AAHP) Grant Program. For cemeteries located within the boundaries of certified heritage areas, all of these activities may be eligible for Maryland Heritage Areas Authority (MHAA) grant funding provided projects have a visitor or education-related component.

Activity	Eligible for AAHP Grants
Mapping cemetery boundaries	X (if leads to a capital project)
Inventorying known and identifying unmarked burials	X (if leads to a capital project)
Preparation of cemetery assessment and conservation plans	X (if leads to a capital project)
Repair, cleaning, re-setting of existing markers, monuments, and sculpture and erection of missing markers	X
Conservation of ironwork	X
Maintenance and removal of landscape feature and vegetation	
Accessibility improvements	X
Conservation/cemetery maintenance workshops to educate volunteers	
Historical research and digitization of records (e.g. funeral home records)	
Interpretation and signage	X (limited eligibility)
Acquisition of burial sites	X

Planning recommends amending HB1512 to direct that a comprehensive study of those issues facing historic African American cemeteries be conducted in consultation with concerned stakeholders, including the Maryland Historical Trust, the Maryland Commission on African American History and Culture, the Coalition to Protect Maryland Burial Sites, Preservation Maryland, and others. Such a study could be crafted to examine what types of cemetery preservation activities can be accomplished under current law, what can be done through regulatory change, and what actions require new legislative vehicles in anticipation of introducing any needed new legislation during the 2021 legislative session. A comprehensive approach to historic cemetery preservation challenges is needed in order to identify those strategies that will be most effective going forward.