

**Department of Legislative Services**  
 Maryland General Assembly  
 2013 Session

**FISCAL AND POLICY NOTE**

House Bill 1247 (Delegate O'Donnell, *et al.*)  
 Health and Government Operations

**State Government - Frederick Douglass and Harriet Tubman Memorial Statues -  
 Placement and Commission**

This bill requires that a Frederick Douglass Memorial Statue and a Harriet Tubman Memorial Statue be placed on the State House grounds, one on each side of the Roger Brooke Taney Statue. The Commission on Artistic Property must oversee the care and maintenance of the statues. The bill establishes a Commission on the Frederick Douglass and Harriet Tubman Memorial Statues. The Maryland Department of Planning (MDP) must provide staff support for the commission, in consultation with other specified agencies. The commission must develop and implement a process to create the statues; advise the Governor, General Assembly, and State agencies on matters relating to the statues; and by December 31, 2013, develop a plan and capital program sufficient to support a capital budget appropriation for construction and installation of the statues.

The bill takes effect July 1, 2013, and terminates June 30, 2015.

**Fiscal Summary**

**State Effect:** General fund expenditures for MDP increase by \$72,500 in FY 2014 and by \$53,800 in FY 2015. Capital expenditures may increase by at least \$500,000 in FY 2015, depending upon the design plan adopted by the commission for the statues. In future years, ongoing expenses may increase minimally to conserve the statues. Revenues are not affected.

(in dollars)	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	72,500	53,800	0	0	0
Bond Exp.	0	500,000	0	0	0
Net Effect	(\$72,500)	(\$553,800)	\$0	\$0	\$0

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** None.

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## Analysis

**Bill Summary:** The Division of Historical and Cultural Programs in MDP must provide staff support for the commission, in consultation with other appropriate agencies, including the State House Trust, the Maryland State Arts Council, the Commission on African American History and Culture, and the Department of General Services. The commission must submit an interim report to the Governor and General Assembly by June 30, 2014, and complete all of its duties by June 30, 2015.

Commission members may not receive compensation but are entitled to reimbursement under the standard State travel regulations.

**Current Law:** The Commission on Artistic Property is the official custodian of all valuable paintings and other objects of decorative art owned by or loaned to the State, except for specified items in the Government House. The commission is responsible for the acquisition, custody, display, location, preservation, proper care, security, and restoration of the objects in its official custody.

The State House Trust is responsible for the restoration and preservation of the State House; and disapproves, or approves and supervises:

- any proposed repair, improvement, or other change to the State House or to any other building within State Circle, including any change to the furnishings or fixtures of those buildings; and
- any proposed landscaping of the grounds of those buildings.

**Background:** Frederick Douglass was born on the Eastern Shore of Maryland. He escaped from slavery and became a lecturer for the Massachusetts Anti-Slavery Society. He published *The North Star* weekly, wrote three autobiographies, and participated in the first women's rights convention at Seneca Falls, New York. Douglass was a leading opponent of the fugitive slave law. He was an advisor to President Abraham Lincoln, a U.S. Marshal for the District of Columbia, and Minister-General to the Republic of Haiti.

Harriet Tubman was born a slave in Dorchester County, Maryland. She later became a Union spy and, as one of the most well-known conductors on the Underground Railroad,  
HB 1247/ Page 2

helped lead many slaves to freedom. In her later years, Tubman became active in the women's suffrage movement. The one-hundredth anniversary of her death occurs on March 10, 2013.

The Maryland State Arts Council reports that there are two Harriet Tubman sculptural elements planned for the Harriet Tubman Underground Railroad State Park in Church Creek, Dorchester County.

Roger B. Taney was born in Calvert County, Maryland in 1777. He served in the Maryland House of Delegates and the Maryland Senate, as the Attorney General of Maryland, and Attorney General of the United States. He served briefly as Secretary of the Treasury and was Chief Justice of the U.S. Supreme Court for nearly three decades. Justice Taney is widely known for writing the majority opinion in the *Dred Scott v. Sandford* case.

**State Fiscal Effect:** The Commission on the Frederick Douglass and Harriet Tubman Memorial Statues must develop a plan and capital program by December 31, 2013, and complete all of its duties by June 30, 2015. Therefore, for purposes of this fiscal and policy note, it is assumed that any capital expenditure relating to the statues occurs in fiscal 2015. The cost to install similar memorial statues in Annapolis in recent years has totaled \$150,000 for the Louis L. Goldstein Memorial Statue at the Goldstein Treasury Building and \$350,000 for the Thurgood Marshall Memorial Statue on Lawyers' Mall. The level of capital expenditures depends upon the design plan adopted by the commission, but it may total at least \$500,000.

General fund expenditures for MDP increase by \$72,527 in fiscal 2014 to hire a consultant, pay reimbursements for expenses to commission members, and pay the honoraria for, and expenses of, finalists in a design competition for the creation of the statues. Expenditures increase by \$53,834 in fiscal 2015 to cover continuing consultant and expense reimbursement costs.

According to the Maryland State Archives, conservation of the new statues is expected to cost \$12,000 annually. The Department of Legislative Services advises that a less ambitious conservation strategy may increase future year expenditures only minimally.

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### **Additional Information**

**Prior Introductions:** HB 1371 of 2012 received a hearing in the House Health and Government Operations Committee, but no further action was taken.

**Cross File:** None.

**Information Source(s):** Maryland State Archives, Department of Business and Economic Development, Maryland Department of Planning, Department of General Services, Department of Housing and Community Development, Department of Legislative Services

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