

SENATE BILL 790

P1

8lr0556

By: **Senators Kagan, Feldman, Lee, Madaleno, ~~and Pinsky~~ Pinsky, and Robinson**

Introduced and read first time: February 5, 2018

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 14, 2018

CHAPTER _____

1 AN ACT concerning

2 ~~**Maryland State Song – Repeal and Replace – State Selection Panel**~~
3 **General Provisions – Historical State Song**

4 FOR the purpose of ~~repealing~~ altering the State song to be the historical State song;
5 ~~establishing the State Song Selection Panel; providing for the composition, chair, and~~
6 ~~staffing of the Panel; prohibiting a member of the Panel from receiving certain~~
7 ~~compensation, but authorizing the reimbursement of certain expenses; requiring the~~
8 ~~Panel to develop a plan for and conduct a certain State song competition, including~~
9 ~~an online voting platform, and to carry out certain tasks relating to the competition;~~
10 ~~authorizing the Panel to solicit certain private contributions for a certain prize fund;~~
11 ~~requiring the Panel to report the winner of the State song competition to the~~
12 ~~Governor and the General Assembly and to recommend certain legislation on or~~
13 ~~before a certain date; providing for the termination of certain provisions of this Act;~~
14 and generally relating to the historical State song.

15 BY repealing and reenacting, with amendments,

16 Article – General Provisions

17 Section 7–318

18 Annotated Code of Maryland

19 (2014 Volume and 2017 Supplement)

20 Preamble

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 WHEREAS, In 1939, the poem “Maryland! My Maryland!”, written by James Ryder
2 Randall in the early days of the Civil War, was set to the tune of “Lauriger Horatius” and
3 adopted as the official State song; and

4 WHEREAS, Mr. Randall, who had left Maryland to live in the Confederate states,
5 wrote “Maryland! My Maryland!” to express his outrage at the news of Union troops being
6 marched through Baltimore and to promote secession in Maryland; and

7 WHEREAS, The words of Mr. Randall’s poem, which advocate the overthrow of the
8 United States government and disparage Northerners and President Abraham Lincoln, are
9 controversial, inappropriate, and do not represent the ideals and values of Marylanders
10 today; and

11 WHEREAS, The State of Maryland represents the values of inclusivity and equality;
12 and

13 ~~WHEREAS, As determined in the 2015 State Song Commission Report, an official~~
14 ~~song should celebrate the best in Maryland and its citizens, be unique to Maryland, be~~
15 ~~memorable, popular, singable, short, and historically significant, and be inclusive of all~~
16 ~~Marylanders; and~~

17 WHEREAS, It is imperative that the current State song be retired ~~and that a new~~
18 ~~State song be adopted that honors the past, celebrates the present, and anticipates the~~
19 ~~bright future of this State and its residents; now, therefore,~~

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

22 Article – General Provisions

23 ~~§~~7–318.

24 (a) The poem “Maryland! My Maryland!”, written by James Ryder Randall in
25 1861 and set to the tune of “Lauriger Horatius”, is the HISTORICAL State song.

26 (b) The words of the HISTORICAL State song are:

27 I
28 The despot’s heel is on thy shore,
29 Maryland!
30 His torch is at thy temple door,
31 Maryland!
32 Avenge the patriotic gore
33 That flecked the streets of Baltimore,
34 And be the battle queen of yore,
35 Maryland! My Maryland!

1 II
 2 Hark to an exiled son's appeal,
 3 Maryland!
 4 My mother State! to thee I kneel,
 5 Maryland!
 6 For life and death, for woe and weal,
 7 Thy peerless chivalry reveal,
 8 And gird thy beauteous limbs with steel,
 9 Maryland! My Maryland!

10 III
 11 Thou wilt not cower in the dust,
 12 Maryland!
 13 Thy beaming sword shall never rust,
 14 Maryland!
 15 Remember Carroll's sacred trust,
 16 Remember Howard's warlike thrust, —
 17 And all thy slumberers with the just,
 18 Maryland! My Maryland!

19 IV
 20 Come! 'tis the red dawn of the day,
 21 Maryland!
 22 Come with thy panoplied array,
 23 Maryland!
 24 With Ringgold's spirit for the fray,
 25 With Watson's blood at Monterey,
 26 With fearless Lowe and dashing May,
 27 Maryland! My Maryland!

28 V
 29 Come! for thy shield is bright and strong,
 30 Maryland!
 31 Come! for thy dalliance does thee wrong,
 32 Maryland!
 33 Come to thine own heroic throng,
 34 Stalking with Liberty along,
 35 And chaunt thy dauntless slogan song,
 36 Maryland! My Maryland!

37 VI
 38 Dear Mother! burst the tyrant's chain,
 39 Maryland!
 40 Virginia should not call in vain,
 41 Maryland!
 42 She meets her sisters on the plain —
 43 "Sic semper!" 'tis the proud refrain

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1 That baffles minions back again,
2 Maryland! My Maryland!

VII

3 I see the blush upon thy cheek,
4 Maryland!
5 For thou wast ever bravely meek,
6 Maryland!
7 But lo! there surges forth a shriek
8 From hill to hill, from creek to creek –
9 Potomac calls to Chesapeake,
10 Maryland! My Maryland!
11

VIII

12 Thou wilt not yield the vandal toll,
13 Maryland!
14 Thou wilt not crook to his control,
15 Maryland!
16 Better the fire upon thee roll,
17 Better the blade, the shot, the bowl,
18 Than crucifixion of the soul,
19 Maryland! My Maryland!
20

IX

21 I hear the distant thunder–hum,
22 Maryland!
23 The Old Line’s bugle, fife, and drum,
24 Maryland!
25 She is not dead, nor deaf, nor dumb –
26 Huzza! she spurns the Northern scum!
27 She breathes! she burns! she’ll come! she’ll come!
28 Maryland! My Maryland!‡
29

30 ~~SECTION 2. AND BE IT FURTHER ENACTED, That:~~

31 ~~(a) There is a State Song Selection Panel.~~

32 ~~(b) The Panel consists of the following members:~~

33 ~~(1) two members of the Senate of Maryland, one of whom shall be from the~~
34 ~~majority party and one of whom shall be from the minority party, appointed by the~~
35 ~~President of the Senate;~~

36 ~~(2) two members of the House of Delegates, one of whom shall be from the~~
37 ~~majority party and one of whom shall be from the minority party, appointed by the Speaker~~
38 ~~of the House;~~

1 ~~(3) the State Archivist, or the State Archivist's designee;~~

2 ~~(4) the State Superintendent of Schools, or the Superintendent's designee;~~

3 ~~(5) the Chancellor of the University System of Maryland, or the~~
4 ~~Chancellor's designee;~~

5 ~~(6) the President of the Maryland Historical Society, or the President's~~
6 ~~designee;~~

7 ~~(7) the Chair of the Maryland State Arts Council, or the Chair's designee;~~

8 ~~(8) the Chair of the Maryland Humanities Council, or the Chair's designee;~~
9 ~~and~~

10 ~~(9) three residents of the State who have expertise in the area of~~
11 ~~songwriting and composition, one each appointed by:~~

12 ~~(i) the Governor;~~

13 ~~(ii) the President of the Senate; and~~

14 ~~(iii) the Speaker of the House.~~

15 ~~(c) The Governor shall designate the chair of the Panel.~~

16 ~~(d) The Maryland State Arts Council shall provide staff for the Panel.~~

17 ~~(e) A member of the Panel:~~

18 ~~(1) may not receive compensation as a member of the Panel; but~~

19 ~~(2) is entitled to reimbursement for expenses under the Standard State~~
20 ~~Travel Regulations, as provided in the State budget.~~

21 ~~(f) (1) The Panel shall:~~

22 ~~(i) develop a plan for and conduct a State song competition in which~~
23 ~~contestants, either individually or as a group, may submit to the Panel a song about the~~
24 ~~State of Maryland;~~

25 ~~(ii) develop rules and guidelines for the State song competition,~~
26 ~~including:~~

27 ~~1. the song shall be an original song that is written and~~
28 ~~composed or adapted by the contestant;~~

1 ~~2. the song shall be dignified, singable, and evoke visual~~
2 ~~images of Maryland's history, diversity, and natural beauty; and~~

3 ~~3. the contestant shall agree to surrender to the State any~~
4 ~~copyrights to the song's composition, arrangement, or lyrics;~~

5 ~~(iii) select at least 3 but not more than 10 finalists from the number~~
6 ~~of contestants who submitted a song to the State song competition and complied with~~
7 ~~competition rules and guidelines, giving preference to contestants who are residents of the~~
8 ~~State;~~

9 ~~(iv) develop and implement an online voting platform that:~~

10 ~~1. enables finalists to upload and share audio recordings of~~
11 ~~their songs; and~~

12 ~~2. enables residents of the State to cast their vote for their~~
13 ~~favorite song;~~

14 ~~(v) develop and implement safeguards and security measures for the~~
15 ~~online voting platform designed to ensure that each voter is a resident of the State and, if~~
16 ~~practicable, that each voter may cast only one vote;~~

17 ~~(vi) promote the State song competition and the online voting~~
18 ~~platform on the Maryland State Arts Council website and through media outlets; and~~

19 ~~(vii) confirm the winner of the State song competition from the songs~~
20 ~~selected under item (iv)2 of this paragraph.~~

21 ~~(2) The Panel may solicit private contributions for a prize fund in an~~
22 ~~amount not to exceed \$5,000 to be awarded to the winner of the State song competition.~~

23 ~~(g) On or before December 1, 2018, the Panel shall:~~

24 ~~(1) report the winner of the State song competition to the Governor and, in~~
25 ~~accordance with § 2-1246 of the State Government Article, the General Assembly; and~~

26 ~~(2) recommend legislation to be introduced in the 2019 Session of the~~
27 ~~General Assembly that designates the winning song as the official State song.~~

28 SECTION ~~3~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 ~~July June 1, 2018. Section 2 of this Act shall remain effective for a period of 1 year and, at~~
30 ~~the end of June 30, 2019, Section 2 of this Act, with no further action required by the~~
31 ~~General Assembly, shall be abrogated and of no further force and effect.~~