

**Department of Legislative Services**  
Maryland General Assembly  
2020 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

House Bill 405

(Delegate Mosby, *et al.*)

Health and Government Operations

Education, Health, and Environmental Affairs

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**State House Trust - Lawyer's Mall - Thurgood Marshall Memorial Statues**

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This bill requires the State House Trust (SHT) to ensure that the “Thurgood Marshall Memorial statues” that were located on Lawyer’s Mall are maintained in the same material condition that they were in on July 1, 2018. The statues may be removed as necessary *only* if they are returned at the earliest practicable time to the same material condition they were before any repair or maintenance occurred. The bill is contingent on completion of the construction that the Department of General Services (DGS) began on Lawyer’s Mall in August 2018.

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**Fiscal Summary**

**State Effect:** The bill’s requirements can be handled with existing budgeted resources, as discussed below. Revenues are not affected.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** “Thurgood Marshall Memorial statues” means the following statues that were located on Lawyer’s Mall on July 1, 2018: (1) the statue of Supreme Court Justice Thurgood Marshall; (2) the statue of two children representing the *Brown v. Board of Education of Topeka* decision, 347 U.S. 483 (1954); and (3) the statue of Donald Gaines

Murray, the plaintiff in the lawsuit brought by Thurgood Marshall that resulted in the racial integration of the University of Maryland School of Law.

For purposes of the bill, the statues are considered in the same material condition if (1) the statue of Supreme Court Justice Thurgood Marshall is returned to the exact location on Lawyer's Mall in which it stood on July 1, 2018, and (2) the other two statues are returned to the exact location on Lawyer's Mall in which they stood on July 1, 2018, if practicable.

### **Current Law:**

#### *State House Trust*

SHT is responsible for the restoration and preservation of the State House and the landscaping and construction of Lawyer's Mall. In addition, the trust must disapprove, or approve and supervise:

- 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;
- any proposed landscaping of the grounds of those buildings; and
- any proposed improvement, nonemergency repair, or other change to Lawyer's Mall.

#### *Department of General Services*

DGS has jurisdiction over the operation, maintenance, and protection of specified State buildings and public grounds in Annapolis and Baltimore. The Maryland Capitol Police within DGS is a full-service police department that provides law enforcement and security services for State buildings, State parking lots, and State parking garages in Annapolis and Baltimore.

**Background:** In August 2018, DGS began a multi-phased construction project to replace the underground infrastructure of Lawyer's Mall. According to DGS, the project includes replacement of aging utilities, renovation of Lawyer's Mall plaza, landscaping, and other improvements. General obligation bond funding totaling \$11 million has already been authorized for the project, and an additional \$5 million is included in the Governor's proposed fiscal 2021 capital budget.

DGS advises that the underground work will likely be completed by September 2020; design work for the above-ground renovation of Lawyer's Mall is completed and has been approved by SHT. This includes returning the Thurgood Marshall statue and accompanying statues back to a similar location with the same interaction between the

statues. The total project remains on schedule with an estimated completion for all work by January 2021.

**State Expenditures:** DGS advises that the original location of the Thurgood Marshall statue was framed in the doorway of the Department of Legislative Services (DLS) building, and that this placement holds significance to the artist's representation of the memorial. The current design for the replacement of Lawyers Mall places the Thurgood Marshall Statue back into this relationship with the door to DLS; however, DGS advises that when the DLS building is renovated (which is likely to be in the next few years), the door may be moved to another location. Under the bill, the statue would be required to remain and would not be allowed to be relocated with the door.

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### **Additional Information**

**Prior Introductions:** Similar legislation, HB 999 of 2019, received hearing in the House Health and Government Operations Committee, but no further action was taken on the bill.

**Designated Cross File:** None.

**Information Source(s):** Department of General Services; Maryland State Archives; Department of Legislative Services

**Fiscal Note History:** First Reader - February 7, 2020  
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Analysis by: Richard L. Duncan

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510