

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 119 (Delegate Rosenberg, *et al.*)
Rules and Executive Nominations

Commission on African American Patriots in the American Revolutionary War

This bill establishes the Commission on African American Patriots in the American Revolutionary War to conduct research to advance the documentation of African American patriots, send out instructional information to the local boards of education, develop and print a publication, assemble an inventory of significant sites, and develop a commemorative plan. The Enoch Pratt Free Library (EPFL) must provide office space and staff for the commission and the staff must be adequately funded. The commission has the authority to raise funds for its operation. For fiscal 2022 to 2025, a member of the commission is entitled to a \$5,000 stipend for serving in the preceding fiscal year. **The bill takes effect October 1, 2020, and terminates September 30, 2025.**

Fiscal Summary

State Effect: Transportation Trust Fund (TTF) expenditures may increase to commemorate Maryland African American Patriots in the American Revolutionary War for the sites inventoried as explained below. State capital expenditures may be affected as described below. Revenues are not affected as discussed below.

Local Effect: Baltimore City and EPFL expenditures increase by \$100,100 in FY 2021 and increasing to \$324,900 in FY 2025 to staff and support the commission. Authorizing a local school system to provide specified instruction does not affect local finances. Expenditures end in FY 2026. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: None.

Analysis

Bill Summary: EPFL must provide office space and staff for the commission and the staff must be adequately funded. The commission must conduct research in consultation with specified entities. The bill details the duties of the commission staff.

Further, each local board of education may provide instruction on the topic using information provided by the commission.

Current Law/Background: As in the other colonies, African Americans from Maryland fought in the American Revolutionary War. The accomplishments of at least 60 Maryland African American patriots of the Revolutionary War are documented in the Daughters of the American Revolution's book, [Forgotten Patriots](#), which is available on their website at no cost.

The Maryland State Department of Education (MSDE) advises that the [Middle School United States History Framework](#) requires students to evaluate the relative importance of key factors that led to an American victory in the Revolutionary War by assessing how free and enslaved African Americans, women and Native Americans, contributed to and were impacted by the American Revolution.

The State provides funds to libraries designated as resource centers including the State Library Resource Center (SLRC, the Central Library of EPFL) in Baltimore City and to regional resource centers, including the Eastern Resource Center in Salisbury, the Southern Resource Center in Charlotte Hall, and the Western Resource Center in Hagerstown. With the exception of the SLRC, EPFL is part of the Baltimore City government.

[The Heritage Museum](#) is a community, nonprofit institution for the preservation and presentation of African, African American, Caribbean, Latin American, and Native American history and culture.

State Expenditures: The bill requires the commission to develop a plan to commemorate Maryland African American Patriots in the American Revolutionary War and work with the Department of General Services (DGS) to implement the plan. It is assumed that the commemorative plan costs at least \$16,400. Actual costs will depend on how the commission decides to commemorate the patriots.

For the purposes of this estimate, it is assumed that DGS will coordinate with the appropriate State agencies and not bear the cost to implement the plan. DGS can coordinate with the appropriate agencies using existing resources. To the extent that DGS must bear the full cost of implementing the plan, general fund expenditures increase.

To the extent that historical markers are chosen to commemorate Maryland African American Patriots in the American Revolutionary War, TTF expenditures could increase. For example, TTF expenditures could increase by approximately \$16,400 for the Maryland Historical Trust and the Maryland State Highway Administration to purchase and install 10 historical markers.

Alternatively, if the commission chooses to install a statue as part of the commemorative plan, capital expenditures will be affected. The bill does not affect total capital spending by the State; however, if capital funding is required for the statue, it means other projects are not funded. The cost to install 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 Lawyer's Mall. Most recently, the statues of Harriett Tubman and Frederick Douglas that have been placed in the Old House Chamber, totaled \$830,000. This amount included structural modifications to the building, architectural modifications to the room and the actual creation of the statues. These statues did not require the State to acquire any property. The level of capital expenditures depends on the design plan adopted by the commission but may total approximately \$300,000.

Local Fiscal Effect: This estimate assumes that unless otherwise stated, costs associated with the commission are attributed to the EPFL and, thus, Baltimore City. EPFL revenues increase to the extent that the commission raises funds for itself as is authorized in the bill; however, as there are no known sources of funding for this commission it is assumed that all costs are passed on to Baltimore City. To the extent that external funding is found, Baltimore City costs are less.

As shown in **Exhibit 1**, EPFL expenditures increase as discussed below.

- The bill requires EPFL to provide office space and support for the commission. EPFL reports that it has no office space available; however, for the purposes of this analysis it is assumed that EPFL finds office space to provide at no cost.
- EPFL advises that it does not have staff available to support the commission. The estimate reflects the cost of hiring a full-time researcher and a half-time administrative support person to implement the requirements of the bill beginning in fiscal 2021. This estimate reflects a 90-day start-up delay following the October 1, 2020 effective date. It includes salaries, fringe benefits, one-time start-up costs, and ongoing operating expenses. Staff costs end during fiscal 2026 due to the September 30, 2025 termination date of the bill.
- The bill requires the commission and, thus, EPFL to develop and print a publication on the history and records of the Maryland African American Patriots in the American Revolutionary War. The commission must also send information to the

local boards of education that may be used in providing instruction on the topic. To the extent that physical copies are required, expenditures increase. According to MSDE, there are approximately 1,430 public schools in the State. It is assumed that printing costs per school are \$75 (which assumes a printing cost of \$3 for a set of 25 books per school); accordingly, total printing costs are \$107,250. It is assumed that these costs are incurred in fiscal 2025 when the research is assumed to be complete. If the research is completed more expeditiously, printing costs may be incurred sooner.

- A stipend of \$5,000 per commission member is mandated for fiscal 2021 through 2025. There are 17 members that will receive a stipend at an annualized cost of \$85,000.

Exhibit 1
Estimated Commission Expenditures
Fiscal 2021-2025

	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>
Positions	1.5				
Salaries and Fringe Benefits	\$93,271	\$120,197	\$122,926	\$127,242	\$131,710
Stipends		85,000	85,000	85,000	85,000
Publication					107,250
Operating Expenses	10,495	953	953	953	953
Total Expenditures	\$103,766	\$206,150	\$208,879	\$213,195	\$324,913

Note: Staff expenditures continue until September 30, 2025 (fiscal 2026).

Source: Department of Legislative Services

The bill terminates September 30, 2025; thus, all expenditures terminate after the first quarter of fiscal 2026.

Additional Information

Prior Introductions: HB 1294 of 2019 was assigned to the House Rules and Executive Nominations Committee, but no further action was taken. SB 840 of 2019 received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. SB 417 of 2018 received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken. HB 597 of 2018 passed the House and was assigned to the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Maryland State Library Agency; University System of Maryland; Morgan State University; Department of General Services; Maryland State Archives; Baltimore County Public Schools; Anne Arundel County Public Schools; Montgomery County Public Schools; Prince George's County Public Schools; St. Mary's County Public Schools; Daughters of the American Revolution; Department of Legislative Services

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