

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1140 (Delegate Reilly, *et al.*)
Environment and Transportation

Port of Deposit State Historical Park - Planning

This emergency bill makes several changes to State law related to the establishment of Port of Deposit State Historical Park; specifically, the bill (1) changes the date by which the Bainbridge Development Corporation (BDC) must transfer specified property to the Department of Natural Resources (DNR) for the park – from June 1, 2023, to June 1, 2025; (2) requires specified preservation of any property that is transferred but not included in the park; (3) authorizes funding for an archaeological survey and soil study for the property; (4) modifies the membership of a stakeholder advisory committee that advises DNR on the scope and management of the park; and (5) requires DNR to submit a specified report to the General Assembly by September 1, 2024.

Fiscal Summary

State Effect: General fund expenditures may increase by at least \$400,000 in FY 2025 only, as discussed below. Revenues are not affected.

Local Effect: The bill does not directly affect local government finances.

Small Business Effect: None.

Analysis

Bill Summary: The bill changes the date – from June 1, 2023, to June 1, 2025 – by which BDC must transfer to DNR a portion of the Bainbridge Naval Training Center site consisting of not less than 120 acres and not more than 150 acres, including (1) the historic Tome School; (2) the Snow Hill archaeological site; and (3) the adjacent wooded conservation area. The bill establishes that any property transferred to DNR pursuant to

this provision that is not included in Port of Deposit State Historical Park must be preserved in perpetuity for its archaeological, historical, and cultural significance, in accordance with the recommendations of the stakeholder advisory committee established by DNR (pursuant to Chapter 39 of 2022) to advise the department on the scope and management of the park.

For fiscal 2025, the bill authorizes the Governor to include in the annual State budget an appropriation of at least \$400,000 to DNR to conduct a Phase 1 Archaeological Survey and Soil Study for the Tome School and Snow Hill sites.

The bill modifies the membership of the stakeholder advisory committee by adding specified members and nonvoting ex officio members and repealing a provision that allows DNR to include other members on the committee. The bill also requires the department to submit a report to the General Assembly, by September 1, 2024, on (1) property that is suitable for inclusion in Port of Deposit State Historical Park; (2) the funding needed to establish and promote the park; and (3) the appropriate manner of preserving property that is not identified for inclusion in the park in perpetuity for its archaeological, historical, and cultural significance.

Current Law: Chapter 39 requires DNR to establish the Port of Deposit State Historical Park as a specified partnership park that seeks to educate the public about and preserve and interpret the lives and experiences of Black Americans both before and after the abolition of slavery. The park must be held by the State as a State park under the protection and administration of DNR. The park must consist of a portion of the Bainbridge Naval Training Center site – measuring not less than 120 acres and not more than 150 acres – that BDC transfers to DNR, including (1) the historic Tome School; (2) the Snow Hill archaeological site; and (3) the adjacent wooded conservation area. Chapter 39 requires BDC to transfer that specified portion of the site to DNR, by June 1, 2023.

Chapter 39 requires DNR to establish a stakeholder advisory committee to advise the department on the scope and management of Port of Deposit State Historical Park which, to the extent practicable, must reflect the diversity of Cecil County.

Chapter 39 required DNR to submit to the General Assembly, by January 1, 2023, a [report](#) on (1) property that is suitable for inclusion in Port of Deposit State Historical Park and (2) the funding needed to establish and promote the park.

State Expenditures: General fund expenditures may increase by at least \$400,000 in fiscal 2025, pursuant to the bill's authorization for the Governor to include an appropriation to DNR of that amount in the annual State budget for fiscal 2025 to conduct a Phase 1 Archaeological Survey and Soil Study for the Tome School and Snow Hill sites. However, to the extent some portion, or all, of these expenditures are considered necessary, and incurred, even in the absence of the bill (pursuant to the requirement under current law

that DNR establish Port of Deposit State Historical Park consisting of the specified portion of the Bainbridge Naval Training Center site), the fiscal impact attributable to this bill is less significant or even none. The report mentioned above, submitted by DNR pursuant to Chapter 39, indicates the need for environmental studies and archaeological surveys, among other efforts, to determine the type and level of public access that can be provided to the portion of the Bainbridge Naval Training Center site that must be transferred to DNR for the park.

The bill's change to the date by which BDC must transfer to DNR the specified portion of the Bainbridge Naval Training Center site is not expected to affect the timing of any State expenditures to establish and maintain the Port of Deposit State Historical Park pursuant to Chapter 39.

The report required by the bill is assumed to be completed by DNR with existing resources.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 517 (Cecil County Senators and Senator Augustine) - Education, Energy, and the Environment.

Information Source(s): Department of Natural Resources; Bainbridge Development Corporation; Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2023
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