



## **POSITION STATEMENT**

**Bill:** HB 0566 State and Local Government – Real Property – Confederate Naming Prohibited

**Position:** SUPPORT WITH AMENDMENTS

**Date:** 2/13/2024

**Contact:** Debra Borden, General Counsel

Jordan Baucum Colbert, Government Affairs Liaison

Dear Chair Joseline A. Pena-Melnyk and Vice Chair Bonnie Cullison,

**We support amendments.** The Maryland-National Capital Park and Planning Commission (“M-NCPPC” or the “Commission”) has voted to support with amendments HB 0566. The Commission respectfully requests that the Health and Government Operations Committee consider these comments and proposed amendments and include them in the record. Montgomery Planning has a great deal of experience with street renaming efforts. The department worked at the behest of the County Council to rename three streets in 2021 – these were three streets in Montgomery County named for Confederate soldiers that are now named after historic African American residents. Prince George’s Planning also has experience with conducting research related to street renaming. There were multiple inquiries related to the process, but no formal submissions were made and processed.

**What this Bill Does.** Prohibiting a state entity or a political subdivision of the State from assigning a Confederate name to real property owned by the State or political subdivision; and requiring certain real property to be assigned a new name on or before January 1, 2027.

**Dedication to dismantling systemic racism.** The Commission is committed to the goals of this Bill. In 2020, at the direction of the County Council, Montgomery Planning undertook a review of county-owned and maintained streets and park facilities to identify those named after known Confederates. After over a year of research, three streets that had full name Confederate matches were renamed to honor local African American historical figures. It is a large undertaking involving: i) researching military rosters, pension records, census data, cemetery records, property and tax records, news articles, and other secondary sources; ii) cross-referencing data with street and park names; iii) working with the property owners along the streets to inform them of the

process, receive input on new names, and provide support for changing of their address information in public records; and iv) coordination with police, fire and rescue, as well as county agencies regarding signage and mapping. There is more work to be done and the Commission supports this effort, but experience has shown that it will certainly take more than three years to complete. In Prince George's County the Planning Department served on the County's Responsible Legacy Task Force a few years ago; below is a link to their final report -

<https://pgccouncil.us/DocumentCenter/View/7510/RLTF-Final-Report>

**Clarify and expand language.** It is important to clearly define the connections to the "Confederacy" that must be researched as part of this undertaking. We would note that the "Confederate States of America" was not a sovereign state recognized by any government and was a group of American states in rebellion against federal authority for approximately four years. Montgomery County's experience has demonstrated that references to the Confederacy often go well beyond names of military commanders and the recommended amendments in our position statement attempt to cover such scenarios.

In addition, technically many public streets are not "owned" by the political jurisdiction but have been dedicated to public use, so this language should be added. We would also offer an additional option for renaming to include commemorating the property at issue in honor of a non-Confederate of the same name, which some other jurisdictions (namely Alexandria, Virginia) have employed with some success. This option establishes the new honorific without the need to change physical addresses for the impacted property owners along the streets. We respectfully request this option be provided with the proposed amended language below.

## AMENDMENTS

9-101.

- (A) In this Title, the following words have the meanings indicated.
- (B) "Confederate Name" means a **ANY** name that commemorates **OR REFERENCES ANY ASPECT OF THE STATES IN REBELLION OPERATING AS THE** Confederate States of America **FROM 1861 THROUGH 1865** or any person **OR ENTITY** who **OR WHICH** served voluntarily with **OR ON BEHALF OF** the Confederate States of America **IN ANY MILITARY OR CIVILIAN CAPACITY.**
- (C) "Political subdivision" means: (1) a County; (2) a municipal corporation; (3) an unincorporated town; (4) a school district; ~~or~~ (5) a special district; **OR (6) THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION.**
- (D) "Real Property" includes streets, buildings, parks, and subdivisions.
- (E) "State entity" includes all units and agencies in the executive, legislative, and judicial branches of State government.

9-102.

A State entity or a political subdivision of the State may not assign a Confederate name to real property **DEDICATED TO PUBLIC USE OR** owned by the State or political subdivision.

Section 2. And be it further enacted, that, if real property, as defined under Section 9-101 of the General Provisions Article, as enacted by Section 1 of this Act, has a Confederate name, as defined under Section 9-101 of the General Provisions Article, as enacted by Section 1 of this Act, on the effective date of this Act, the State or political subdivision of the State responsible for assigning a name to the real property shall assign a new name to the real property **or commemorate the real property in honor of a non-Confederate of the same name on** or before January 1, ~~2027~~ **2030**.

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