

RBS SB 0963 Testimony February 2025.pdf

Uploaded by: candy warden

Position: FAV

Candy Warden, President

Rosa Bonheur Society, Inc.

10240 Harvest Fields Drive

Woodstock, MD 22163

February 04, 2025

SB 0963 Testimony: FAVORABLE

Sponsors: Senator Mautz,

My name is Candy Warden. I am President of the Rosa Bonheur Society, Inc., a volunteer, nonprofit group formed in 2007 to protect and preserve the Rosa Bonheur Memorial Park, a Maryland human and pet cemetery with thousands of burials. The people with loved ones resting at our cemetery span across all the counties of Maryland.

In having over 17 years of experience of cemetery work both with the Rosa Bonheur Society, Inc. and the Coalition to Protect Maryland Burial Sites I am very aware of the impact of neglected and abandoned cemeteries on the families concerned and the communities in which they are located.

The Problem

Cemeteries require regular maintenance and repairs, such as, repairing and cleaning memorials, replacing and/or repairing broken fences, filling sunken and eroded areas, lawn mowing, and landscape care. There are also the effects of vandalism and other wanton destruction, which also need to be addressed. The following are several examples of abandoned cemeteries in various counties:

The Magruder Family cemetery in Prince George's county is overgrown and under-maintained due to lack of clear ownership and regular maintenance.

In Anne Arundel County there are over 30 cemeteries identified as abandoned with most being overgrown with vegetation and many being used as trash dumps and parking lots.

Harford County is home to Johnson-Hill Cemetery where the developer that owns the property denies ownership, so the cemetery has fallen into a state of thorough neglect and most of the headstones have been broken.

In Howard County in a Valley Mede neighborhood (formerly known as "Arcadia Estate") there is nestled in a wooded area thick with thistle, and high grass an abandoned cemetery that has been neglected for years. The stone wall has fallen in, there are smashed headstones, fallen monuments, and open sarcophagi. Ownership is unknown as the developer that built the surrounding homes has moved on.

Abandoned cemeteries may range from a single grave to thousands of graves as in the case of Baltimore County's Zion Cemetery. When the owner Warren Harmis passed away it was discovered that he had misrepresented the cemetery as belonging to the AME church to avoid paying taxes. As the cemetery falls into ruin with broken headstones, collapsing burial locations, overgrown grass and weeds, etc. no one knows who owns it.

Benefits of SB 0963

The plight of abandoned cemeteries would receive widespread recognition.

Communities and non-profit organizations could obtain funding not otherwise available to them due to lack ownership.

Would help sustain ongoing efforts and perhaps inspire new efforts to preserve and protect abandoned cemeteries by offering fiscal and official support for those endeavors.

Neighborhoods will become safer.

Protection of our history and heritage. There is much to learn, but we need access to preserved and protected cemeteries that celebrate the contributions of all people including enslaved peoples, freed people, and those of other diverse socio-cultural, ethical, and religious backgrounds.

Benefits of Increasing the Number of Tax Check-off Items

Consumer Choice Studies:

Research cited by the Chesapeake Bay Foundation was conducted by Barry Schwartz (2004). Findings indicated that when six jars of jam were available 30% of subjects bought a jar and when 24 were available 3% of subjects bought a jar. Schwartz used six choices in his smaller choice sample of jams indicating that six choices are not a large or dissatisfying amount of choices. An optimal number of choices was not sought by nor identified by the findings of this study.

Schwartz stated "Research needs to become more nuanced to find the number that can optimize people's happiness".

In a subsequent study conducted by Reuskaja, Cheek, Iyengar, and Schwartz (2022) with over 7,000 participants from six countries findings indicated that it is often more harmful to have too few options than too many. The study also acknowledged that there are many factors that can influence decision making that need to be investigated. No optimal choice number was investigated or identified.

Charitable Donations Choice Studies:

Feherova et al. (2022) found that in contexts where people can choose how many recipients to help that increasing the number of recipients that can be selected increases donation frequency.

Lindkvist and Luke (2022) found that offering more charitable organizations to choose from did not negatively affect donation behavior. People can choose between altruistic actions that can help varying numbers of recipients, and this choice can increase the motivation of people to donate. In this study between 2 to 80 choices of charitable organizations were offered to subjects to select from.

Summary of Research Findings:

Charitable donation research indicates that offering more choices of donation recipients increases the frequency of donations.

Consumer products research indicates that is more harmful to have too few options than too many.

Conclusion:

The research reviewed indicates that more donation recipient choices are more likely to result in increased donations and that greater satisfaction is experienced by people when they have a significant number of options to choose from. The tax check-off currently has five donation recipient choices. It is imperative that more donation recipient choices be offered through the tax check-off in order to establish and provide fiscal support for the Abandoned Cemeteries Fund and for all of the organizations listed to benefit from increased donations.

*My review of this research is based on personal experience as an M.A. in Psychology with a focus on cognition processing and work on research for treatment decision making in breast cancer patients.

Thank you for your kind consideration of this testimony, which is greatly appreciated.

Sincerely,

Candy Warden

Rosa Bonheur Society, Inc. (founded May 2007)

2010 Periwinkle Award Winner, Coalition to Protect Maryland Burial Sites

References:

Feherova, M., Heger, S., Peliova, J., Servatka, M., Slinin, R., et al. (2022). Increasing Autonomy in Charitable Giving: The effect of choosing the number of recipients of donations. *Economic Letters*, Vol. 217, August 2022 (11701).

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Schwartz, B. (2004). *The Paradox of Choice: Why More is Less*. Ecco Press, an imprint of Harper Collins, New York, NY.

1A Tax Checkoff written testimony.pdf

Uploaded by: Christine Simmons

Position: FAV

SB963/HB535-Abandoned and Neglected Cemeteries Fund-Establishment and Income Tax Checkoff-FAV

Christine Simmons
521 West Drive
Severna Park, MD 21146
410-978-7167

I am on the boards of the Anne Arundel Genealogical Society, the Coalition to Protect Maryland Burial Sites, and am a member of an ad hoc group of cemetery preservationists known as Maryland Cemetery Legislative Advocates who have over 300 years combined experience dealing with cemeteries and their issues.

Grant funding for historic homes, communities, and even roads is available but funding for cemeteries is almost non-existent. Funds are not available to individuals or non-profit groups who cannot provide proof of ownership. An abandoned cemetery automatically means there is no known current ownership.

Our budget neutral income tax checkoff would allow constituents interested in preservation of these cemeteries to contribute to a fund. Our research has shown that, given choices, people are more apt to choose an option if given a larger number of choices. This is contrary to the Chesapeake Bay Foundation's claims that five choices for a checkoff are the maximum that are beneficial. This would also likely to bring more attention to the issue of abandoned and neglected cemeteries and increase public awareness for funding from other sources. Interest earned by this fund would increase our ability to assist in future maintenance and preservation. We believe having a fund to assist these cemeteries is necessary.

Abandoned and neglected cemeteries are a blight on all communities. With no ownership or owner oversight and interest, cemeteries easily become the target for senseless vandalism and criminal activity. The purpose of this fund is to provide for the care, maintenance, and restoration of these cemeteries.

Thank you for your interest and look forward in your positive support of this legislation.

MCLA.pdf

Uploaded by: David Zinner

Position: FAV



MCLA is a new group, formed in July of 2024. We've met weekly to discuss Maryland cemetery laws and how we can bring our real world experience to proposing improvements to those laws. We drafted language for seven bills that are in the legislative process in the House and Senate.

We are not professional lobbyists, nor are we paid for our work in Maryland's cemeteries. We have no paid staff. We don't even have a bank account. What we do have is passion and a belief that cemeteries show respect for the deceased, and that cemeteries are our history and our gift to future generations.

We are twelve Maryland citizens devoted to care, preservation, documentation and protection of all of Maryland's cemeteries. Our MCLA team represents hundreds of years of advocacy and hands-on cemetery care. We are multicultural, spanning ethnicities and religions. Our members have widespread and diverse experience and backgrounds, are bi-partisan, and come from different counties across the State.

MCLA puts a special emphasis on identification, preservation, care and when needed, restoration, of African American cemeteries. Our members are actively working with individual African American cemeteries or sections of cemeteries. We bring incarcerated citizens to learn about cemetery care, and participate in cemetery cleanups. We help identify African American cemeteries for grants.

MCLA members understand the importance of genealogy and actively work to document cemetery records and markers across the State. Our members work with statewide organizations to provide advice to Maryland's cemetery regulator and to educate Maryland citizens about the importance of cemeteries.

Maryland citizens can make a difference when they are actively involved in the legislative process. We are so grateful to our bill sponsors, three Republicans and four Democrats. And we are appreciative of the hearing process that allows us to explain the importance, need and impact of the bills that we initiated. Thank you for supporting legislation this session that will benefit all cemeteries in Maryland.

SB963 - Charitable Choice.pdf

Uploaded by: David Zinner

Position: FAV

Charitable Choice Behavior

**Research by Candy Warden
for the Maryland Cemetery Legislative Advocates**

Executive Summary

- The information sheet from Chesapeake Bay Trust (CBT) shows their income tax checkoff revenue dropped in 2010. Their assertion is that this is a result of a new checkoff choice being added. However, this is a correlation, not a proven causation.
- Rather, the state of economics in Maryland during this period would have had a significant impact on donations to all Maryland charities whether they were included in the check-off or not.
- The CBT testimony incorrectly states that “Scientists believe that humans do not have the capacity to efficiently compare more than five options.”
- People have access to strategies when making choices and make many complex decisions over their lifetime. Selecting a charity from a tax check-off of more than five items is not a complex situation.
- Many states give their citizens far greater choices than just five charity options
- The opposite of CBT’s assertions are supported by charitable donation research. Offering more choices increases the frequency of donations and does not decrease the total amount given nor individual donations.

Economics

The Chesapeake Bay Trust (CBT) argues that revenue to the Chesapeake check-off dropped by 12% when the disabilities option was added in 2010. However, correlation does not imply causation. In reviewing the “Effects of the Great Recession and Subsequent Slow Recovery on Maryland through ACS Highlights (Comparing 2010 with years 2006 through 2009)” a clearer picture may be developed concerning the state of economics in Maryland during this period that

would have had a significant impact on donations to all Maryland charities whether they were included in the check-off or not. The following is an excerpt from this Department of Planning document:

Overall, the socioeconomic data released with the American Community Survey for 2010 paints a picture of Maryland that is still fighting the lingering effects of the Great Recession. Even though the recession ended more than two years ago, the unemployment rate has yet to fall, median household income is down and poverty is up. People are coping with a less than robust economy by getting more education and doubling up in households. And while housing values are down sharply from pre-recession peaks, the percent of households spending 35 percent or more of their income for housing costs dropped much more modestly from pre-recession peaks. Highlights from the 2010 American Community Survey:1

Economic:

- The unemployment rate has risen from 3.6 percent in 2006 to 5.5 percent in 2009 and 6.1 percent in 2010. At the same time the labor force participation rate has dropped from a peak of 70.4% in 2008 to 69.5% in 2010.
- Median household income peaked in 2007 at \$71,781 and has since dropped just over \$2,900 (-4.1%) to \$68,854 by 2010 in 2010 inflation-adjusted dollars
- The poverty rate has been steadily increasing, going from 7.8 percent in 2006 to 9.1 percent in 2009 and 9.9 percent in 2010. Similarly, for those under age 18 the poverty rate rose from 9.7 percent in 2006 to 11.6 percent in 2009 and to 13.0 percent in 2010.

People Are Able to Decide Between More Than Five Options

The CBT testimony states that “Scientists believe that humans do not have the capacity to efficiently compare more than five options.” There is no research referenced to support this statement. Searches of literature did not reveal a body of research that supports this hypothesis.

It appears that CBT may have misinterpreted the Atkinson-Shiffrin Memory Model (Atkinson and Shiffrin, 1968). The model proposes that humans have a sensory register, a short term memory, and a long term memory. The short term memory is the working space where information from the sensory register and the long term

memory may be attended to. The capacity of the short term memory is 7 plus or minus 2 chunks or independent items of information. If the information is salient it can be rehearsed and then moved from the short term memory to long term memory storage.

What constitutes a chunk of information? For example, when learning the Pledge of Allegiance each word is a chunk, but with rehearsal the entire Pledge becomes one chunk of information. The size of the chunk begins small and with rehearsal can be added to. There are actors that have memorized entire plays, mathematicians that have memorized theorems, etc.

People have strategies for making choices. As people read the items on the tax check-off they will be able to note which charities are important to them. If necessary they are able to make tick marks beside charities listed on the form or a list denoting the charity(s) they are considering. They do not have to memorize the list of charities on the tax check-off to make a choice(s). We are talking about people that have been in the mindful situation of preparing their tax forms that have the mental strategies necessary for selecting from more than five charity choices. In fact, they make such choices regularly.

The Federation of Tax Administrators reports that across the country other states currently offer 433 tax check-off programs, which have nearly doubled the number from 20 years ago. For example, New York lists 33 options, New Jersey has 31 charities, Oregon offers 28 donation choices, etc. Apparently there are many states that recognize that their citizens have the ability to successfully select from a variety of charities far greater than just five options.

Charitable Donations Choice Studies

Egoistic and Altruistic Donors

Thottam et al. (2024) found that individuals with egoistic, self-centered motives tend to select causes that align with their personal interests, values, or experiences. In contrast, individuals with altruistic motivations tend to prioritize charitable causes that benefit the well-being of others, rather than their own personal or social identity.

It is possible to conjecture that with only five choices of charities available on Maryland's tax check-off that a significant number of potential donors are not being offered the variety of items necessary to appeal to their personal interests, values, or experiences. One could also posit that even those individuals that are

altruistic do not donate to every charity they encounter, but are influenced by choices that appeal to them the most.

More Choices Increase Donation Frequency

Feherova et al. (2022) found that in contexts where people can choose how many recipients to help that increasing the number of recipients that can be selected increases donation frequency.

Lindkvist and Luke (2022) found that offering more charitable organizations to choose from did not negatively affect donation behavior. People can choose between altruistic actions that can help varying numbers of recipients, and this choice can increase the motivation of people to donate. In this study between 2 to 80 choices of charitable organizations were offered to subjects to select from.

Summary of Research Findings:

Charitable donation research indicates that offering more choices of donation recipients increases the frequency of donations.

Choice Overload?

Scheibehenne et al. (2009) conducted a study in which subjects were paid to participate. The subjects were presented with the choice of 5, 40, or 80 charity organizations to donate a portion of their earnings to. Their findings indicated that the only factor related to choice overload was when the subject had to justify their choice of donation in writing. Based on the fact that only choice justification proved to be a factor with the larger donation choice lists the researchers concluded that the effect of choice overload is questionable.

Conclusion

Economics can affect how much people donate. When there is an economic downturn people donate less and are less likely to donate at all.

The seven plus or minus chunk proposed Atkinson-Shiffrin Memory Model does not indicate that people can only make a choice between five charities to donate to. People have access to strategies when making choices and make many complex decisions over their lifetime. Selecting a charity from a tax check-off of more than five items is not a complex situation.

There are egoistic donors and altruistic donors. Egotistic donors are more likely to donate to charities that represent their personal interests, values and experiences. Altruistic donors are more likely to donate to benefit the recipients, rather than their own personal and/or social identity. Only five choices for check-off are unlikely to appeal to a significant number of potential donors, even those that are altruistic.

Charitable Donation Choice studies indicate that more choices result in the increased frequency of donations. Also, that choice overload does not occur when up to 80 charitable organization choices are offered. Choice overload only occurred when people had to explain their donation choice in writing.

There is no proof that more choices led to the drop in revenue across Maryland check-offs in 2010. The economy was slowly recovering from the Great Recession and unemployment was high.

None of the studies cited by CBT either sought, nor found, an optimal number of choices to offer consumers buying jam, selecting a 401K plan, or selecting a charity on a list to donate a \$1.00 to.

There is no evidence supporting CBT's contention that seven check-offs would lead to a further decline in their revenue or that the total amount donated to all causes would drop. As mentioned above in 2010 the economy was struggling toward recovery, so the addition of disabilities cannot be cited as the reason for a 12% decline in revenue from the check-off.

*My review of this research is based on personal experience as an M.A. in Psychology with a focus on cognition processing and research work on treatment decision making in breast cancer patients.

References:

Atkinson, R.C.; Shiffrin, R.M. (1968). "Chapter: Human memory: A proposed system and its control processes". In Spence, K.W.; Spence, J.T. (eds.). *The psychology of learning and motivation*. Vol. 2. New York: Academic Press. pp. 89–195.

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Feherova, M., Heger, S., Peliova, J., Servatka, M., Slinin, R., et al. (2022). Increasing Autonomy in Charitable Giving: The effect of choosing the number of recipients of donations. *Economic Letters*, Vol. 217, August 2022 (11701).

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Scheibehenne, B., Greifeneder, R., and Todd, P.M. (2009). What Moderates the Too-Much-Choice Effect? *Psychology & Marketing*, Vol. 26(3): 229–253 (March 2009).

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SB963 - Testimony of David Zinner.pdf

Uploaded by: David Zinner

Position: FAV

SB963/HB535 Testimony of David Zinner for the Senate Budget and Taxation Committee - March 4, 2025

I'm David Zinner, Coordinator for the Maryland Cemetery Legislative Advocates (MCLA). Our group has extensive experience with cemetery issues.

I've been a member of the Maryland Advisory Council for Cemetery Oversight (ACCO) for 12 years though my testimony today is not as a representative of the Council.

For many years, from every county in Maryland, we've heard complaints, concern and anguish about the condition of abandoned and severely neglected cemeteries. Abandoned and neglected cemeteries can become an eyesore and show disrespect. They can become a burden for neighbors and municipalities.

This is not a new problem. In 2005 the ACCO received a recommendation from Legislative Services to study the issue of abandoned and neglected cemeteries with the intention of developing legislation to address the issue. In 2009 legislation was introduced, but not passed.

1. In SB963, the purpose of the fund is laid out. It is to provide for the care, preservation, maintenance, and restoration of abandoned and neglected cemeteries in the state.
2. The need is clear. Maryland has many abandoned and neglected cemeteries, many from religious groups or family cemeteries where there are only a few descendants caring for the cemeteries.
3. A fund will make a difference. It can provide direct assistance and it can also assist with long term planning for the preservation and care of abandoned and neglected cemeteries.
4. Last year HB0828 passed the house. This year's bill focuses on neglected cemeteries as well as abandoned cemeteries.

5. SB963 may not solve all of the extensive problems of neglected and abandoned cemeteries, but it will enable us to begin to address this issue on a statewide basis.
6. Some may say that there are too many charities in the tax checkoff. We would refer delegates to our fact sheet that lays out documented research showing that assertions of “too many” are incorrect.
7. Some may say about the income tax checkoff, “we were here first”. We say that allowing new charities to participate in the income tax checkoffs is an important way to assist new charities that meet Maryland state priorities.

We ask for your support of SB963.

Testimony SB963 Budget&Taxation March 4, 2025.pdf

Uploaded by: Eileen McGuckian

Position: FAV



Senate Budget & Taxation Committee Hearing on SB963 Hearing Date: March 4, 2025

CPMBS position: FAV

Abandoned and Neglected Cemeteries Fund -- Establishment

CPMBS is an all-volunteer nonprofit that since 1992 has advocated for improvement in distressful cemetery situations that occur across Maryland and for needed changes in state law. In 2021-2, I served on the committee that was charged by House and Senate Joint Chairmen to survey citizens and study historic African American Cemeteries and recommend strategies to improve their current situations. Not surprisingly, the published JCR report encouraged strengthening Maryland law to better protect all cemeteries and bolster those citizens and groups who strive to improve their futures. A major recommendation in that report was helping to address ownership and title issues for abandoned and neglected cemeteries. www.cpmbs.org has a link to the report on our Home Page.

Although African American cemeteries are over-represented in the numbers of abandoned and un-maintained sites today, all Maryland counties and municipalities have identified such sites within their borders. One of the most common problems is unknown ownership; without proven, recorded ownership, it is impossible to take steps to resolve problems or even to organize a clean-up, be officially recognized, or apply for a grant. Now is the time to recognize these deplorable situations and pledge to address them, with the assistance of nonprofit groups and descendant communities.

SB963 fits neatly with SB631, which establishes a Commission to address issues and strategies for all Maryland Abandoned and Neglected cemeteries. In tandem, creating a Commission and a dedicated fund are high priorities that the General Assembly can accommodate without costing taxpayers any money.

Our organization suggests amending the language of SB963 to omit the income tax check-off. This may become a recommendation in the future, but it is neither needed nor feasible in 2025.

Other states that have tackled these problems include New York, South Carolina, and Georgia. With the passage of SB963 and SB631, our state can begin to address a serious problem that affects every county and municipality in Maryland.

Thank you for your consideration.

Eileen McGuckian, President
Coalition to Protect Maryland Burial Sites, Inc.
phileen3@verizon.net 301-468-7331

Testimony.pdf

Uploaded by: Katie Myers

Position: FAV

Testimony in Support of SB963 - Abandoned and Neglected Cemeteries Fund - Establishment and Income Tax Checkoff

Presented by Katie Myers, Maryland Cemetery Legislative Advocates

Chairperson and members of the committee,

I am here today on behalf of the Maryland Cemetery Legislative Advocates to express our strong support for SB963, which aims to establish the Abandoned and Neglected Cemeteries Fund. This important legislation provides a critical mechanism for the preservation of Maryland's historic cemeteries, including those suffering from significant erosion and neglect.

Hoopers Island is one of the oldest settled areas in America. As someone whose family originally hails from the "Island," I feel personally involved in the efforts to save Anchor Hope Cemetery and Old Hoopers Island Graveyard where I have family buried. I have witnessed firsthand the devastating effects of environmental degradation on our historic burial sites. Anchor Hope Cemetery, which has served as a resting place for multiple families, is now at risk of being lost to the Chesapeake Bay due to the erosion of its shoreline. High tides and strong waves have eroded the land that once served as a buffer between the graves and the water, threatening to wash away the very graves of our ancestors into the bay.

The erosion of Anchor Hope Cemetery is not just a local tragedy; it is a statewide issue. This cemetery, which has been named one of the top 10 historic sites in Maryland in danger of disappearing by Preservation Maryland in 2010, represents a significant part of our heritage and culture. Suffering the loss of this cemetery would be a shame for all Marylanders, and we are not alone in facing this threat to our history. Many other cemeteries throughout the state are suffering from similar challenges due to erosion, neglect, and the passage of time.

This bill offers a vital lifeline for preserving these sacred spaces. By establishing a dedicated fund for abandoned and neglected cemeteries, SB963 will ensure that the necessary resources are available to protect and restore cemeteries like Anchor Hope and Old Hoopers Island Graveyard. The ability to contribute through the income tax checkoff also makes it easier for

Maryland residents to support these preservation efforts, ensuring that our historic cemeteries are not forgotten, but rather protected for future generations.

We from the Maryland Cemetery Legislative Advocates urge the committee to pass SB963 and provide the necessary support to safeguard Maryland's historic cemeteries. These sites are not only pieces of marylanders personal history, but they are an integral part of our state's cultural fabric.

Thank you for your time and consideration. .

Sincerely,

Katie Myers

Maryland Cemetery Legislative Advocates

SB963, Letter to Senate Budgt and Taxation Committ

Uploaded by: Mark Edwards

Position: FAV



February 28, 2025

TO: Members of the Senate Budget and Taxation Committee

SUBJECT: Support SB963: Abandoned and Neglected Cemeteries Fund – Establishment and Income Tax Checkoff

Good afternoon. My name is Mark Edwards, and I am a member of the Maryland Cemetery Legislative Advocates (MCLA) and a member of the Board of Directors of Montgomery Preservation, Inc. Before I retired 3 years ago, I worked for over 46 years in the heritage preservation and cultural resource management field, including 18 years at the Maryland Historical Trust. I reside in Silver Spring, Montgomery County, Maryland.

Following the 2024 Maryland General Assembly session, advocates involved with cemeteries began meeting to share information about problems and challenges, review existing law, and to agree upon priorities for legislative changes to propose to the 2025 General Assembly. The working group includes individuals active in cemetery preservation, care, and maintenance as well as descendants, genealogists, and nonprofit organizations. These initiatives follow the survey and study requested by the Joint Chairmen and reported to the Maryland General Assembly on June 30, 2022. See the *Report on Historic African American Cemeteries to the Chairmen of the Senate Budget and Taxation Committee and House Appropriations Committee* submitted on June 30, 2022, by the Maryland Commission on African American History & Culture and the Maryland Historical Trust.

SB963 would establish the Abandoned and Neglected Cemeteries Fund to provide for the care, preservation, maintenance, and restoration of abandoned and neglected cemeteries in the state and create an income tax check-off on individual income tax returns for contributions to the Fund.

Abandoned and neglected cemeteries are found in many counties and municipalities throughout Maryland. These burial sites are often badly neglected, leading to significant damage of burials and often beautiful historic funerary structures and objects. They are often located in areas such as the Chesapeake Bay where increased flooding due to rapidly accelerating climate change is literally washing these cemeteries away.

Funding for abandoned and neglected cemeteries has real advantages to the State of Maryland:

- Checkoffs are very simple means of raising funds for an important program, and are considered a “one stop shop” by taxpayers to make charitable contributions.
- In every state, legislators often find income tax checkoffs appealing because they do not require a new tax.
- The public benefits from inclusion of a wide array of programs when making decisions about what activities should be funded using income tax programs. Of the 42 states that impose a personal income tax, nearly all allow taxpayers to make charitable contributions through

checkoffs on their personal income tax returns. One state, New York, offers 34 checkoff categories. Significantly, one of these, the Veterans Remembrance and Cemetery Maintenance Fund, received over \$950,000 in donations in State Fiscal Year 2022-2023. This represented the third highest level of funding received, behind only the Prostate Cancer Research, Detection and Education program, and Breast Cancer research.

- Inclusion of better care and protections of fragile resources on our state income tax form may increase awareness of the plight of abandoned and neglected cemeteries, and lead to their improved care and protection.

In the current challenging State revenue environment, enactment of this legislation not only makes good fiscal sense, but will also provide much needed funding to address immediate, short-term needs and well as long-range planning. Our fragile cemeteries need our help, and this program would be a powerful new tool to stabilize, restore, and maintain these for our present and future generations.

For these reasons, I request that you support SB963. Thank you for your consideration of my request.

Mark Edwards
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SB 963 Tax Check Off.pdf

Uploaded by: Yvonne Fisher

Position: FAV

Abandoned and Neglected Cemeteries Fund/ Create Income Tax Checkoff

House and Government Operations and Way and Means

Fund –SB963 Testimony of Yvonne Fisher for the Senate **Judicial Proceedings** – Abandoned and Neglected Cemeteries Fund and Create Income Tax Checkoff -February 18, 2025

I am Yvonne Fisher, a member oof the Maryland Cemetery Legislative Advocates (MCLA) Our group has extensive experience with cemetery issues.

I have also been a member of the Maryland Advisory Council for Cemetery Oversight (ACCO) for 9 years. My testimony today is not as a representative of the council.

I have learned over the last 9 years that in Maryland there have been several instances where the Office of Cemetery Oversight has been involved with Abandoned and neglected Cemeteries. The investigator must travel to the location and determine the current situation. They must investigate the history of the abandoned cemetery, such as past ownership, perpetual care funds and all other requirements in ownership and care of cemeteries.

The Office of Cemetery Oversite has a very small footprint, which includes a secretary/records clerk, Investigator and Council from the Attorney General's Office. **The allocation via Tax Checkoff** would assist the office to incur some of the additional cost associated with the process of identification and any all-investigative processes that are required when these situations occur.

Abandoned and Neglected Cemeteries become eye sores to the surrounding communities. There is no fund available for maintaining them. These services often fall on the jurisdictions that are also strapped for funds. These situations leave these cemeteries ripe for vandalism and disturbing of graves.

It is for the greater good that there is a means to make sure that funds are available to find ways to maintain the abandoned and neglected cemeteries but also give some assistance to the Office of Cemetery Oversight in handling this extra burden when these instances arise.

This will be an excellent start in protecting those who cannot protect themselves.

SB963 Tax Checkoff .pdf

Uploaded by: Yvonne Fisher

Position: FAV

Abandoned and Neglected Cemeteries Fund/ Create Income Tax Checkoff

House and Government Operations and Way and Means

Fund –SB963 – HB1003 Testimony of Yvonne Fisher for the Senate **Judicial Proceedings** – Abandoned and Neglected Cemeteries Fund and Create Income Tax Checkoff -February 18, 2025

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I have also been a member of the Maryland Advisory Council for Cemetery Oversight (ACCO) for 9 years. My testimony today is not as a representative of the council.

I have learned over the last 9 years that in Maryland there have been several instances where the Office of Cemetery Oversight has been involved with Abandoned and neglected Cemeteries. The investigator must travel to the location and determine the current situation. They must investigate the history of the abandoned cemetery, such as past ownership, perpetual care funds and all other requirements in ownership and care of cemeteries.

The Office of Cemetery Oversight has a very small footprint, which includes a secretary/records clerk, Investigator and Council from the Attorney General's Office. **The allocation via Tax Checkoff** would assist the office to incur some of the additional cost associated with the process of identification and any all-investigative processes that are required when these situations occur.

Abandoned and Neglected Cemeteries become eye sores to the surrounding communities. There is no fund available for maintaining them. These services often fall on the jurisdictions that are also strapped for funds. These situations leave these cemeteries ripe for vandalism and disturbing of graves.

It is for the greater good that there is a means to make sure that funds are available to find ways to maintain the abandoned and neglected cemeteries but also give some assistance to the Office of Cemetery Oversight in handling this extra burden when these instances arise.

This will be an excellent start in protecting those who cannot protect themselves.

Ches Bay Trust Testimony - 3-4-25.pdf

Uploaded by: Jana Davis

Position: INFO



Date: March 4, 2025

For Information

Submitted to: Senate Budget and Tax Committee

Submitted by: Chesapeake Bay Trust

The Chesapeake Bay Trust (the Bay Trust), a nonprofit grant-maker, was established by the General Assembly in 1985 to complement the work of state agencies by reaching out directly to community-based groups on the ground. The Bay Trust provides these groups the ability to lead and own their own work to benefit their communities and the environment, mainly through grants. The Bay Trust awards \$25-30 million annually and has made grants in every Maryland district, from Western Maryland to the Coastal Bays, ranging from \$200 to \$200K+ per award.

When the Bay Trust was created, the General Assembly did not provide a general appropriation to support this grant-making activity, but instead created two revenue streams that raise private, non-governmental dollars: the Chesapeake and Endangered Species Tax Check Off, on the state income tax form, shared with the Maryland Department of Natural Resources, and the bay vehicle license plate.

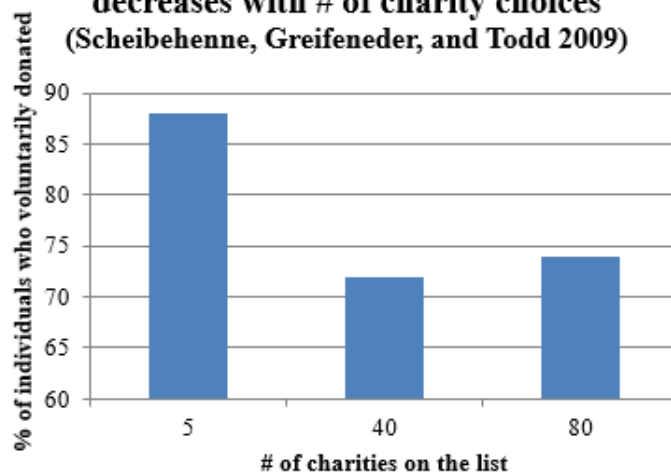
I. Nature of Tax Checkoffs as a Revenue Stream: Danger of Too Many Choices (“Choice Overload”)

The Chesapeake and Endangered Species Tax Checkoff, created in 1988, was one of the first tax checkoffs in the nation to raise money for a cause. For 8 years, it was the only option. The Fair Campaign Fund was added in 1996 as a second option, the cancer checkoff was added in 2003 as a third option, the disabilities checkoff was added in 2010, and in 2023 for tax year 2024 (we haven’t seen the impacts yet), a fifth option was added to support veterans causes.

Unfortunately, while all of the additional causes and many more are worthy, more tax checkoff choices lead to an overall drop in revenue across all checkoffs as well as a drop in revenue to each individual checkoff. The reason: **Choice Overload**. Many of us have experienced that feeling in the peanut butter aisle of the supermarket, staring at 30+ options for something we don’t really need. When we feel rushed, we often give up and move on to the necessities just to finish the grocery shopping chore.

Studies around the world have shown similar phenomena: One gave participants a complicated task (like filing taxes), then offered them \$1 to either keep or donate to a charity on a list. When only five charity options were offered, 87% donated their \$1. When 40+ options were offered, that percentage dropped to 70-75%, meaning overall donations dropped and each charity individually received less. Another study gave participants an option to buy a jar of jam: When presented with 6 options, 12% of people bought a jar. When presented with 24 options, only 2%

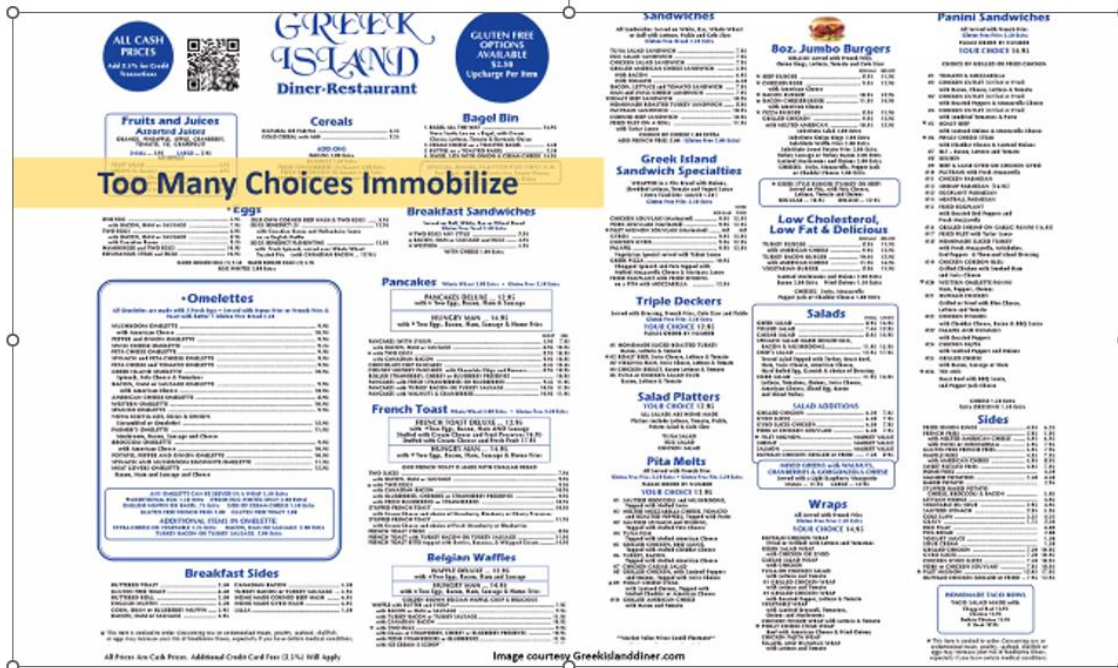
Likelihood of voluntarily donating \$1 decreases with # of charity choices (Scheibehenne, Greifeneder, and Todd 2009)



bought a jar. A study offering employees 401K plans found that 75% participated when only 2 plans were offered; only 62% participated when 59 plans were offered.

The reason? Scientists believe that humans do not have the capacity to efficiently compare more than five options.

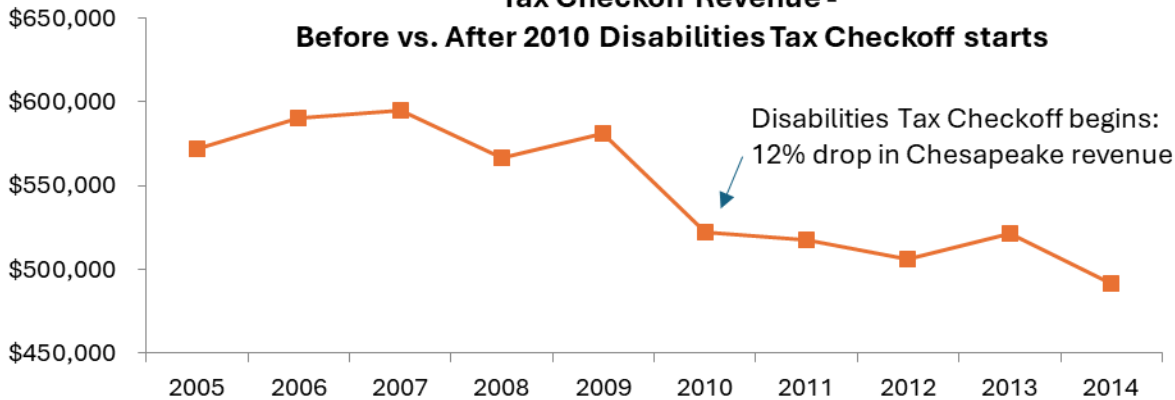
Choice Overload:



Donations to the Chesapeake and Endangered Species Fund show the same trend. When a new checkoff option was added in 2010, revenue to the Chesapeake checkoff dropped by 12%.

Bay Trust portion of the Chesapeake and Endangered Species Tax Checkoff Revenue -

Before vs. After 2010 Disabilities Tax Checkoff starts

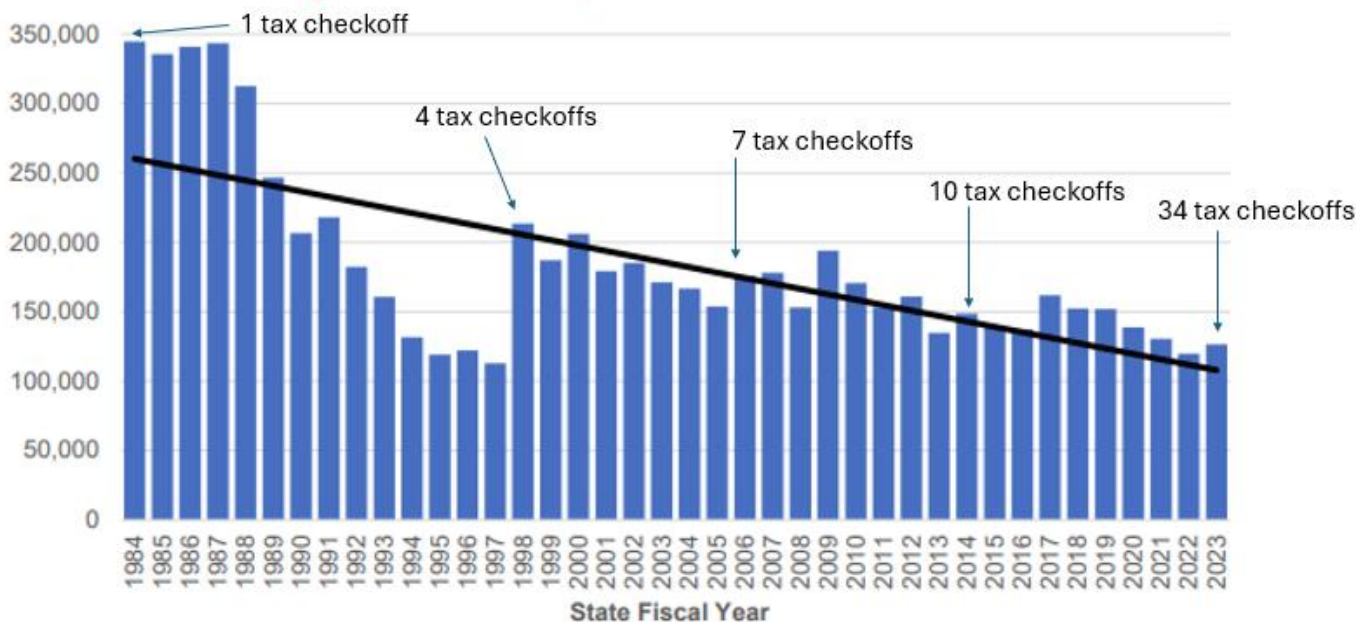


A fifth checkoff was passed in the 2023 legislative session, and the Bay Trust has budgeted for further decline. Two new checkoffs are proposed in the General Assembly in 2025. Seven checkoffs would most certainly lead to an even further decline in Bay Trust revenue, and would likely open the door to an even greater multitude of new checkoffs such that no cause will see meaningful revenue – each would most likely see a decline in revenue with each subsequent year. And, in fact, the total amount donated to all causes in total could drop as more people skip that section entirely.

II. A Case Study from New York: Outcome of a Proliferation of Tax Checkoffs

A similar negative trend can be seen, though exaggerated because of the high degree of tax checkoff proliferation, in New York State, which currently has the highest number of options at 34. Their Comptroller studied the impact in 2024 (<https://www.osc.ny.gov/files/reports/pdf/tax-checkoffs-2024.pdf>) and concluded that “More checkoffs have not resulted in greater contributions” and “even as the number of checkoffs has grown dramatically in the last 10 years, they have not resulted in substantially more contributions and the number of filers participating have steadily declined.” In 1984 when there was 1 checkoff, 344,000 filers donated. By 2023, when there were 34 checkoff options, only 125,000 filers donated, a 63.4% drop.

Total Filers Contributing to Tax Checkoffs, SFY 1983-84 – SFY 2022-23



Source: NYS Department of Taxation and Finance

Each checkoff then, as more and more causes are added, drops in revenue each year: In 1984, filers gave \$1.5m to the one checkoff. In 2014 when there were 10 checkoffs, the average per checkoff was \$200,000. In 2023 when there were 34 checkoffs, the average per checkoff was \$100,000.

III. Trade-Offs/ Unintended Consequences to Adding New Checkoffs

Revenue drops driven by new checkoffs suggest that **tradeoffs/unintended consequences should be considered before adding new ones.** Because new checkoffs will harm each previous checkoff *and* the total pot, legislators should consider:

- Whether a new cause is going to be attractive** to voluntary donors at tax time. If not, it will simply **bog down the list of checkoff options for no major benefit,** even for that particular cause.
- Whether a tax checkoff is the right kind of revenue stream.** I.e., is the magnitude of the problem (how much total money is needed for the “cause”) commensurate with the amount likely to be raised by the tax checkoff? **If the tax checkoff revenue is only going to be a drop in the bucket, so to speak,**

perhaps it's not worth harming the existing checkoffs. In essence, a business plan should accompany every new tax checkoff proposal.

Several other tax checkoff ideas have been considered over the years. The fiscal note for one in 1998 (HB 1001) notes that after the addition of the second checkoff in 1996, “the total amount contributed by taxpayers to both check-off funds was approximately the same as before the introduction of the new check-off....This would imply that the introduction of a new check-off would not result in additional check-off contributions by taxpayers, but would reallocate funds among check-offs. The Chesapeake Bay and Endangered Species Fund... would thus likely decline to offset contributions to [the new check-off]...”

III. Value of the Chesapeake and Endangered Species Tax Checkoff: Grants in Your Districts

The Bay Trust does not “keep” the tax checkoff revenue: It distributes the funds to ~400 grantees per year throughout Maryland (Youghiogheny, Chesapeake, and Coastal Bays watersheds).



The Bay Trust has made grants in every Maryland district, \$180 million through 12,500+ grants and projects since 1985, providing support for 100,000 K-12 students and adults annually to learn and accomplish measurable environmental improvement. The Trust makes ~400 awards per year and has ~1,000 active awardees at any one time. (see www.cbtrust.org/impact or click on the QR code to the left for an interactive map to search for your district).

Demand exceeds availability of current level of funds by about 3:1. Trust grantees are of two types: environmental organizations and non-environmental organizations that pursue green projects. Examples of the latter are schools, faith-based entities, homeowners’ and civic associations, and nonprofits focusing on other causes (health, jobs, housing, etc.) who see an intersection between the environment and their cause (e.g., Veterans Engagement program (<https://cbtrust.org/grants/veterans-engagement/>)).

The Bay Trust is known for its efficiency, putting on average over 90 cents of every dollar into programs. (Last year, that number was 94 cents of every dollar.) Due to this uncommonly high efficiency, the Trust has been rated with the maximum four-star rating by the nation’s leading charity evaluator, Charity Navigator, for more than two decades, putting it in the top 1% of non-profits in the nation.



IV. Value of the Chesapeake and Endangered Species Tax Checkoff: Leveraging More Money for Maryland

The Trust leverages the Tax Checkoff and other unrestricted dollars into \$25+ million annually by attracting other partners with resources. An example is the Trust’s partnership with the U.S. Environmental Protection Agency, in which the Trust offers \$300,000, and the EPA matches it with \$1,000,000 for a Green

Streets, Green Jobs, Green Towns grant program. <https://cbtrust.org/grants/green-streets-green-jobs-green-towns/>;

[\\$1M to help with ‘vital’ Chesapeake Bay improvement - WTOP News](#)



In addition, in 2021 and 2022, the General Assembly tapped the Trust to create and administer the Urban Trees Grant Program (2021) <https://cbtrust.org/grants/urban-trees/> and the Chesapeake Conservation Corps (2020) www.cbtrust.org/corps, which we have



partly staffed and supported with unrestricted Bay Plate dollars. The bay plate and other unrestricted revenue also funds our K-12 environmental education, on-the-ground restoration, and community engagement.

V. More About the Chesapeake Bay Trust



The Trust was created by the Maryland General Assembly in 1985 as a nonprofit grant-making organization with a goal to increase stewardship and engagement in the restoration of the state's local rivers, streams, parks, and other natural resources in diverse communities across the state, from the mountains of Western Maryland and the Youghiogheny watershed to the marshes of the Coastal Bays. The goal was to create an entity that could complement state agency work with groups on the ground: schools, nonprofit organizations, faith-based and reach large institutions, homeowners associations, community and civic associations, and other types of groups.



The Trust does not receive a direct state appropriation to support its operations, instead supported through revenue from the Chesapeake Bay vehicle license plate; half of the Chesapeake and Endangered Species Fund checkoff on the state income tax form; two new donation options through Maryland's online boating, fishing, hunting license system, one that focuses on veterans' rehabilitation; partnerships with federal, state, local agencies, family foundations, and corporate foundations; and individual donors.

A key Bay Trust tenet: All Marylanders benefit from healthy natural resources, and all Marylanders can help make natural resources better (aided by Trust grants).

SB 963 Abandoned and Neglected Cemeteries Fund - E

Uploaded by: John Dove

Position: INFO

MARYLAND DEPARTMENT OF LABOR LETTER OF INFORMATION ON SB 963.

TO: Senate Budget and Taxation
FROM: Deborah Rappazzo, Executive Director, Office of Cemetery Oversight
DATE: March 4, 2025
BILL: SB 963 Abandoned and Neglected Cemeteries Fund - Establishment and Income Tax Checkoff

Senate Bill 963, entitled Abandoned & Neglected Cemeteries Fund - Establishment and Income Tax Checkoff, will create a fund to restore and maintain cemeteries that, for any number of reasons, have fallen into disrepair. The Office of Cemetery Oversight (“OCO”) will oversee the Fund to restore and maintain cemeteries that have deteriorated due to abandonment and neglect.

Taxpayers will be able to make donations to the fund through their State Income Tax form via a prompt asking for a minimum of a \$1 donation. These donations would be placed in the “Abandoned & Neglected Cemeteries Fund.” These donations will then be used to administer the Fund, which will pay for the maintenance of abandoned and neglected cemeteries in the State of Maryland.

The Office of Cemetery Oversight is committed to fulfilling its regulatory authority to register and monitor Maryland sole proprietorships, individuals, partnerships, corporations and limited liability companies operating cemeteries, as well as upholding ethical standards related to the operation of cemeteries

For questions, please contact Andrew Fulginiti, at Andrew.Fulginiti@maryland.gov

SB0963-BT-LOI.pdf

Uploaded by: Nina Themelis

Position: INFO



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

SB963

March 4, 2025

TO: Members of the Senate Budget and Taxation Committee

FROM: Nina Themelis, Director of Mayor's Office of Government Relations

RE: Senate Bill 963 – Abandoned and Neglected Cemeteries Fund – Establishment and Income Tax Checkoff

POSITION: Letter of Information

Chair Guzzone, Vice Chair Rosapepe, and Members of the Committee, the Baltimore City Administration (BCA) would like to provide the below **information** for Senate Bill (SB) 963.

This bill will create a fund to provide for the maintenance, preservation, and restoration of abandoned and neglected cemeteries in the State. It will also establish an income tax checkoff for contributions to the Fund.

Funding for the stewardship of abandoned and neglected cemeteries is very much needed, and the creation of this Fund will help people offset the considerable costs of addressing decades of damage to cemeteries caused by a lack of maintenance and/or vandalism. However, this bill does not identify a mechanism to disperse funds for cemetery stewardship, nor does it identify eligibility requirements for funding.

For the above stated reasons, the BCA respectfully submits this **letter of information** on SB 963.