

Testimony for HB 1354 Sale or Transfer or Government Acquisition Of Cemeteries

To The House Economic Matters Committee

House Health and Government Operations Committee

Greetings

My name is Robert Stubblefield and I am a lifelong resident of Maryland, specifically Montgomery County. I am also a lay minister and activist-organizer with groups such as the Bethesda African Cemetery Coalition in Favor of this bill with an amendment. I also want to commend the bill's co-sponsor, Delegate Gary Simmons, for his introduction of other bills aimed at preserving and funding the restoration of historic cemeteries that are vulnerable to desecration.

We commend the intention of HB1354 to ensure that descendant communities are front and center in discussions and decisions regarding the disposition of vulnerable and abandoned cemeteries. HB1354 would establish a process by which cemetery owners wishing to sell their property must solicit the views of the general public and descendant communities before selling their property.

In addition, under the bill, a county or city could acquire an abandoned cemetery and transfer it to a descendant community or a nonprofit organization. If neither the descendant community nor a nonprofit organization could be found, the county or city would find an established cemetery in which any remains would be re-interred. The Director of Cemeteries, a state agency, would oversee the sale of cemeteries or the disposition of abandoned cemeteries. The Director could intervene and mandate another disposition if it found that the proposed sales or dispositions were not in the community's interest.

While involving the community, which is a good step forward, the bill nevertheless does not have adequate community protections as it now stands. Some cemetery directors would be fair and conscientious while others may not safeguard the public's interest.

The Bethesda African Cemetery (BACC) has been fighting the desecration of the historic Moses African Cemetery located in Bethesda, Maryland for over a decade. The Moses African Cemetery is a special and sacred place to me. The founding pastor of Macedonia and dozens of our congregants now lie desecrated and dishonored under a parking lot where cars park on a daily basis and dogs and other animals defecate. This is abhorrent to my faith and a disgrace to humanity. The fact that Moses African Cemetery is being openly desecrated in Maryland should be a deep source of pain for us all.

BACC has engaged elected officials at all levels and various public agencies. The responses have ranged from indifference to hostility. If we had not taken our case to court, the Moses-Macedonia African Cemetery may have been lost forever with residential and commercial development built on top of buried loved ones. That is why we believe that the Director of Cemeteries must not have the last word. There is no guarantee of justice empowering an unelected agency with final decision-making power.

It is our understanding that Delegate Simmons supports an amendment to his bill that would mandate court consideration of a sale of a cemetery or a disposition of an abandoned cemetery when a descendant community believes that the Director of Cemeteries has rendered an inequitable decision regarding a disposition of a cemetery. This amendment must become part of this bill in order to secure the support of the Bethesda African Cemetery Coalition (BACC).

I thank you for consideration of my views in this important matter.