

HOUSE BILL 1371

P1

2lr3281

By: **Delegates O'Donnell, Afzali, Aumann, Bates, Burns, Cane, Cluster, Conaway, Dwyer, Eckardt, Elliott, Fisher, Frank, George, Glass, Haddaway–Riccio, Harrison, Hershey, Holmes, Howard, Jacobs, Jones, Kach, McComas, McConkey, McDermott, McDonough, A. Miller, W. Miller, Myers, Norman, Otto, Parrott, Pena–Melnyk, Proctor, Ready, Ross, Schulz, Serafini, Stifler, Stocksdales, Vitale, and Walker**

Introduced and read first time: February 22, 2012

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **State Government – Frederick Douglass and Harriet Tubman Memorial**
3 **Statues – Placement and Commission**

4 FOR the purpose of requiring that a Frederick Douglass Memorial Statue and a
5 Harriet Tubman Memorial Statue be placed on the grounds of the State House
6 in a certain location; requiring the Commission on Artistic Property to oversee
7 the care and maintenance of the statues; establishing the Commission on the
8 Frederick Douglass and Harriet Tubman Memorial Statues; providing for the
9 composition, chair, and staffing of the Commission on the Frederick Douglass
10 and Harriet Tubman Memorial Statues; prohibiting a member of the
11 Commission on the Frederick Douglass and Harriet Tubman Memorial Statues
12 from receiving certain compensation, but authorizing the reimbursement of
13 certain expenses; requiring the Commission on the Frederick Douglass and
14 Harriet Tubman Memorial Statues to develop and implement a process to
15 create certain memorial statues and take other certain action relating to the
16 creation of the memorial statues; requiring the Commission on the Frederick
17 Douglass and Harriet Tubman Memorial Statues to submit a certain interim
18 report to the Governor and the General Assembly on or before a certain date;
19 providing for the termination of a certain provision of this Act; and generally
20 relating to the Frederick Douglass and Harriet Tubman Memorial Statues.

21 BY repealing and reenacting, without amendments,
22 Article – State Government
23 Section 9–1016 and 9–1021(a)(1)
24 Annotated Code of Maryland
25 (2009 Replacement Volume and 2011 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – State Government**

4 9–1016.

5 In this Part II of this subtitle, “Commission” means the Commission on Artistic
6 Property.

7 9–1021.

8 (a) (1) The Commission is the official custodian of all valuable paintings
9 and other objects of decorative art owned by or loaned to the State, except those
10 located in a State room of the Government House. With respect to the objects subject
11 to its official custody, the Commission shall:

12 (i) keep a continuing inventory of the objects; and

13 (ii) be responsible for and supervise the acquisition, custody,
14 display, location, preservation, proper care, security, and restoration of the objects.

15 SECTION 2. AND BE IT FURTHER ENACTED, That:

16 (a) A Frederick Douglass Memorial Statue and a Harriet Tubman Memorial
17 Statue shall be placed on the grounds of the State House, one on each side of the Roger
18 Brooke Taney Statue.

19 (b) The Commission on Artistic Property shall oversee the care and
20 maintenance of the Frederick Douglass Memorial Statue and the Harriet Tubman
21 Memorial Statue after the statues are placed on the grounds of the State House.

22 SECTION 3. AND BE IT FURTHER ENACTED, That:

23 (a) There is a Commission on the Frederick Douglass and Harriet Tubman
24 Memorial Statues.

25 (b) (1) The Commission consists of the following members:

26 (i) two members appointed by the President of the Senate;

27 (ii) two members appointed by the Speaker of the House of
28 Delegates; and

29 (iii) three members appointed by the Governor.

1 (2) Individuals appointed to the Commission under paragraph (1) of
2 this subsection shall have training, expertise, or special interests that will benefit the
3 purposes of the Commission.

4 (c) The Governor shall designate the chair of the Commission.

5 (d) The Division of Historical and Cultural Programs in the Department of
6 Planning shall provide staff for the Commission, in consultation with other
7 appropriate agencies, including the State House Trust, the Maryland State Arts
8 Council, the Commission on African American History and Culture, and the
9 Department of General Services.

10 (e) A member of the Commission:

11 (1) may not receive compensation as a member of the Commission; but

12 (2) is entitled to reimbursement for expenses under the Standard
13 State Travel Regulations, as provided in the State budget.

14 (f) The Commission shall:

15 (1) develop and implement a process to create memorial statues of
16 Frederick Douglass and Harriet Tubman, including determining the feasibility of the
17 project, site planning, design competition, execution, and installation;

18 (2) advise the Governor, the General Assembly, and State agencies on
19 matters relating to the memorial statues;

20 (3) as soon as practicable, but no later than December 31, 2012,
21 develop a plan and capital program sufficient to support a capital budget
22 appropriation for construction and installation of the memorial statues and any
23 associated improvements;

24 (4) perform other duties necessary to create the memorial statues; and

25 (5) complete all of its duties by June 30, 2014.

26 (g) On or before June 30, 2013, the Commission shall submit an interim
27 report on the progress of the Commission in completing its duties to the Governor and,
28 in accordance with § 2-1246 of the State Government Article, the General Assembly.

29 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 July 1, 2012. Section 3 of this Act shall remain effective for a period of 2 years and, at
31 the end of June 30, 2014, with no further action required by the General Assembly,
32 Section 3 of this Act shall be abrogated and of no further force and effect.