

SENATE BILL 222

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6lr1295

By: **Senators Kagan, Feldman, Kelley, Lee, Manno, Nathan–Pulliam, Pugh, and Raskin**

Introduced and read first time: January 21, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland State Song – Repeal and Replace – State Song Selection Panel**

3 FOR the purpose of repealing the State song; establishing the State Song Selection Panel;
4 providing for the composition, chair, and staffing of the Panel; prohibiting a member
5 of the Panel from receiving certain compensation, but authorizing the
6 reimbursement of certain expenses; requiring the Panel to develop a plan for and
7 conduct a certain State song competition, including an online voting platform, and
8 to carry out certain tasks relating to the competition; authorizing the Panel to solicit
9 certain private contributions for a certain prize fund; requiring the Panel to report
10 the winner of the State song competition to the Governor and the General Assembly
11 and to recommend certain legislation on or before a certain date; providing for the
12 termination of certain provisions of this Act; and generally relating to the State song.

13 BY repealing

14 Article – General Provisions

15 Section 7–318

16 Annotated Code of Maryland

17 (2014 Volume and 2015 Supplement)

18 Preamble

19 WHEREAS, In 1939, the poem “Maryland! My Maryland!”, written by James Ryder
20 Randall in the early days of the Civil War, was set to the tune of “Lauriger Horatius” and
21 adopted as the official State song; and

22 WHEREAS, Mr. Randall wrote “Maryland! My Maryland!” to express his outrage at
23 the news of Union troops being marched through Baltimore and to articulate his
24 Confederate sympathies; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, The words of Mr. Randall's poem, which advocate the overthrow of the
2 government and disparage Northerners and President Abraham Lincoln, are controversial,
3 inappropriate, and do not represent the ideals and values of Marylanders today; and

4 WHEREAS, An official State song should reference the rich history and diversity of
5 the State and evoke images of the natural and scenic beauty that Marylanders celebrate;
6 and

7 WHEREAS, It is imperative that the current State song be retired and that a new
8 State song be adopted that honors the past, celebrates the present, and anticipates the
9 bright future of this State and its residents; now, therefore,

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

12 **Article – General Provisions**

13 [7–318.

14 (a) The poem “Maryland! My Maryland!”, written by James Ryder Randall in
15 1861 and set to the tune of “Lauriger Horatius”, is the State song.

16 (b) The words of the State song are:

17 I
18 The despot's heel is on thy shore,
19 Maryland!
20 His torch is at thy temple door,
21 Maryland!
22 Avenge the patriotic gore
23 That flecked the streets of Baltimore,
24 And be the battle queen of yore,
25 Maryland! My Maryland!

26 II
27 Hark to an exiled son's appeal,
28 Maryland!
29 My mother State! to thee I kneel,
30 Maryland!
31 For life and death, for woe and weal,
32 Thy peerless chivalry reveal,
33 And gird thy beauteous limbs with steel,
34 Maryland! My Maryland!

35 III
36 Thou wilt not cower in the dust,
37 Maryland!

1 Thy beaming sword shall never rust,
2 Maryland!
3 Remember Carroll's sacred trust,
4 Remember Howard's warlike thrust, –
5 And all thy slumberers with the just,
6 Maryland! My Maryland!

7 IV
8 Come! 'tis the red dawn of the day,
9 Maryland!
10 Come with thy panoplied array,
11 Maryland!
12 With Ringgold's spirit for the fray,
13 With Watson's blood at Monterey,
14 With fearless Lowe and dashing May,
15 Maryland! My Maryland!

16 V
17 Come! for thy shield is bright and strong,
18 Maryland!
19 Come! for thy dalliance does thee wrong,
20 Maryland!
21 Come to thine own heroic throng,
22 Stalking with Liberty along,
23 And chaunt thy dauntless slogan song,
24 Maryland! My Maryland!

25 VI
26 Dear Mother! burst the tyrant's chain,
27 Maryland!
28 Virginia should not call in vain,
29 Maryland!
30 She meets her sisters on the plain –
31 "Sic semper!" 'tis the proud refrain
32 That baffles minions back again,
33 Maryland! My Maryland!

34 VII
35 I see the blush upon thy cheek,
36 Maryland!
37 For thou wast ever bravely meek,
38 Maryland!
39 But lo! there surges forth a shriek
40 From hill to hill, from creek to creek –
41 Potomac calls to Chesapeake,
42 Maryland! My Maryland!

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VIII

1
2 Thou wilt not yield the vandal toll,
3 Maryland!
4 Thou wilt not crook to his control,
5 Maryland!
6 Better the fire upon thee roll,
7 Better the blade, the shot, the bowl,
8 Than crucifixion of the soul,
9 Maryland! My Maryland!

IX

10
11 I hear the distant thunder–hum,
12 Maryland!
13 The Old Line’s bugle, fife, and drum,
14 Maryland!
15 She is not dead, nor deaf, nor dumb –
16 Huzza! she spurns the Northern scum!
17 She breathes! she burns! she’ll come! she’ll come!
18 Maryland! My Maryland!]

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

20 (a) There is a State Song Selection Panel.

21 (b) The Panel consists of the following members:

22 (1) two members of the Senate of Maryland, one of whom shall be from the
23 majority party and one of whom shall be from the minority party, appointed by the
24 President of the Senate;

25 (2) two members of the House of Delegates, one of whom shall be from the
26 majority party and one of whom shall be from the minority party, appointed by the Speaker
27 of the House;

28 (3) the State Archivist, or the State Archivist’s designee;

29 (4) the State Superintendent of Schools, or the Superintendent’s designee;

30 (5) the Chancellor of the University System of Maryland, or the
31 Chancellor’s designee;

32 (6) the President of the Maryland Historical Society, or the President’s
33 designee;

34 (7) the Chair of the Maryland State Arts Council, or the Chair’s designee;

1 (8) the Chair of the Maryland Humanities Council, or the Chair's designee;
2 and

3 (9) three residents of the State who have expertise in the area of
4 songwriting and composition, one each appointed by:

5 (i) the Governor;

6 (ii) the President of the Senate; and

7 (iii) the Speaker of the House of Delegates.

8 (c) The Governor shall designate the chair of the Panel.

9 (d) The Maryland State Arts Council shall provide staff for the Panel.

10 (e) A member of the Panel:

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

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

14 (f) (1) The Panel shall:

15 (i) develop a plan for and conduct a State song competition in which
16 contestants, either individually or as a group, may submit to the Panel a song about the
17 State of Maryland;

18 (ii) develop rules and guidelines for the State song competition,
19 including:

20 1. the song shall be an original song that is written and
21 composed by the contestant;

22 2. the song shall be dignified, singable, and evoke visual
23 images of Maryland's history, diversity, and natural beauty; and

24 3. the contestant shall agree to surrender to the State any
25 copyrights to the song's composition, arrangement, or lyrics;

26 (iii) select at least three but no more than 10 finalists from the
27 number of contestants who submitted a song to the State song competition and complied
28 with competition rules and guidelines, giving preference to contestants who are residents
29 of the State;

30 (iv) develop and implement an online voting platform that:

1 1. enables finalists to upload and share audio recordings of
2 their songs; and

3 2. enables residents of the State to cast their vote for their
4 favorite song;

5 (v) develop and implement safeguards and security measures for the
6 online voting platform designed to ensure that each voter is a resident of the State and, if
7 practicable, that each voter may cast only one vote;

8 (vi) promote the State song competition and the online voting
9 platform on the Maryland State Arts Council Web site and through media outlets; and

10 (vii) confirm the winner of the State song competition from the songs
11 selected under item (iv)² of this paragraph.

12 (2) The Panel may solicit private contributions for a prize fund in an
13 amount not to exceed \$5,000 to be awarded to the winner of the State song competition.

14 (g) On or before December 1, 2016, the Panel shall:

15 (1) report the winner of the State song competition to the Governor and, in
16 accordance with § 2–1246 of the State Government Article, the General Assembly; and

17 (2) recommend legislation to be introduced in the 2017 Session of the
18 General Assembly that designates the winning song as the official State song.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
20 1, 2016. Section 2 of this Act shall remain effective for a period of 1 year and, at the end of
21 June 30, 2017, with no further action required by the General Assembly, Section 2 of this
22 Act shall be abrogated and of no further force and effect.