

Department of Legislative Services  
Maryland General Assembly  
2014 Session

FISCAL AND POLICY NOTE

House Bill 74 (Delegate Smigiel)  
Environmental Matters

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State Development Plan - Repeal

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This bill repeals the statutory requirement for the Maryland Department of Planning (MDP) to develop a State development plan as well as all provisions and requirements associated with developing, coordinating, and implementing the plan.

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Fiscal Summary

**State Effect:** The bill is not anticipated to directly affect State finances.

**Local Effect:** The bill is not anticipated to directly affect local finances.

**Small Business Effect:** None.

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Analysis

**Current Law:** MDP must prepare and periodically revise a State development plan that promotes the general welfare and prosperity of the people of the State through coordinated development of the State. The plan must be based on studies of governmental, economic, physical, and social conditions and trends. The plan must embody MDP's policy recommendations regarding the economic and physical development of the State.

When preparing and revising the plan, MDP must seek (1) comments from local governments affected by the plan and (2) cooperation and advice from government units, regional planning commissions, educational institutions, research organizations, civic groups, and other interested persons.

Upon completion, the Secretary of Planning must submit the plan, or its parts or revisions, to the Governor. The Governor must file the plan, or its parts or revisions, as well as any comments made by the Governor with the Secretary of State. Copies of the plan and the Governor's comments must be (1) made available for general distribution or sale and (2) sent to the head of each unit of State government and to the General Assembly.

MDP must cooperate with and assist other State agencies, units of local and federal government, and regional planning agencies in the execution of their planning functions, to harmonize their planning activities with the State development plan.

Prior to making a decision about whether to grant a permit to construct certain facilities related to oil or natural gas in defined coastal areas, the Maryland Department of the Environment must determine that the applicant has shown that the facility conforms with the State development plan.

**Background:** PlanMaryland, the State's first comprehensive development plan, is a policy framework for growth and preservation in the State and a blueprint to help guide State agencies in their decisionmaking on programs and funding for growth and preservation. In December 2011, Governor O'Malley accepted PlanMaryland and filed Executive Order 01.01.2011.22, which outlines a process for implementing the plan.

Under PlanMaryland, counties and municipalities are asked to identify planning areas (areas for growth, revitalization, land preservation, and resource conservation). Then, the State and local governments collaboratively target their resources to the planning areas and State agencies align programs and policies to support the objectives of the planning areas.

In accordance with the Governor's executive order, MDP submitted progress reports in September 2012 and October 2013. The 2012 report summarized more than 90 conceptual implementation strategies for more effectively targeting State resources to planning areas. The 2013 report describes progress in the early stages of designation of planning areas by local governments and advancement of the implementation strategies by State agencies (facilitated by improved coordination among the agencies). The report acknowledges that most local governments have adopted a wait-and-see attitude regarding the plan's benefits and that continuing to adjust State programs and policies to benefit planning areas will be important in gaining local government participation.

Because PlanMaryland promotes improved governmental coordination and seeks to maximize the use of existing infrastructure, MDP advises that State and local cost savings may be realized in the future as the plan is implemented.

## **Additional Information**

**Prior Introductions:** HB 252 of 2013 and HB 654 of 2012 each received an unfavorable report from the House Environmental Matters Committee.

**Cross File:** None.

**Information Source(s):** Maryland Department of Planning; Maryland Department of the Environment; Department of Natural Resources; Maryland Department of Agriculture; Maryland Department of Transportation; Department of Housing and Community Development; Secretary of State; Carroll, Harford, Montgomery, Queen Anne's, and St. Mary's counties; Department of Legislative Services

**Fiscal Note History:** First Reader - January 27, 2014  
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