

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

Senate Bill 1068 (Senators Middleton and Rosapepe)
Education, Health, and Environmental Affairs

Workgroup to Study the Future Conservation of the State's Open Space and Farmland

This bill requires the Secretary of Agriculture to convene a Workgroup to Study the Future Conservation of the State's Open Space and Farmland. The workgroup must submit a report of its findings and recommendations to the Governor and the General Assembly by October 1, 2010.

The bill terminates September 30, 2010.

Fiscal Summary

State Effect: Given the State's fiscal difficulties, agency budgets have been constrained. Thus, the requirement to staff the workgroup is not absorbable within the existing budgeted resources of the Maryland Department of Agriculture (MDA). Instead, general or special fund expenditures may increase in FY 2010 and FY 2011, primarily to support the workgroup. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: In addition to consulting with specified stakeholders, the workgroup must:

- evaluate, determine, and project the impact that demographic changes have had, and may have, on land conversions throughout the State;

- evaluate whether the State has adequate human resource funding capacity within its land preservation programs to accommodate potentially extensive land ownership transfers and land conversions;
- evaluate whether the State should allow a local government to use Program Open Space (POS) funds for development projects after the local government has attained its acreage acquisition goals; and
- determine various financing mechanisms and potential resources for land acquisition in the future.

Background: The State's primary land conservation programs are POS, Rural Legacy, and the Maryland Agricultural Land Preservation Program (MALPP).

POS, established in 1969 and administered by the Department of Natural Resources (DNR), provides funds for State and local acquisition and development of public outdoor recreational sites, facilities, and open space. As of January 7, 2009, the State POS share had preserved 292,866 acres, and the local POS share had preserved 43,310 acres.

Rural Legacy, established in 1997 and administered by DNR, supplements State land preservation programs in order to preserve key areas before escalating land values render protection impossible or before the land is lost to development. As of February 18, 2009, Rural Legacy had protected 61,311 acres of land.

MALPP, established in 1977 and administered by MDA, purchases agricultural preservation easements that restrict development on prime farmland and woodland in perpetuity. As of January 2009, the program had purchased or had a pending contract to purchase permanent conservation easements on 2,005 farms covering 274,950 acres.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Natural Resources, Maryland Department of Agriculture, Department of Legislative Services

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mcp/ljm

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