

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 922 (Delegate Clagett)
Environmental Matters

Maryland Smart Growth Advisory Council

This bill establishes a Maryland Smart Growth Advisory Council staffed by the Maryland Municipal League and the Maryland Association of Counties. A report of the council's activities must be provided to the Governor and the General Assembly by December 1 annually. The Smart Growth Subcabinet must work with the council to resolve local government issues related to smart growth, development, neighborhood conservation, and resource management.

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances.

Local Effect: The bill does not materially affect local operations or finances.

Small Business Effect: None.

Analysis

Bill Summary: The council is responsible for (1) advising the Smart Growth Subcabinet on county and local government issues related to smart growth, development, neighborhood conservation, and resource management; and (2) informing the Governor and the General Assembly about implementation of smart growth policies.

The council is required to (1) set priorities and determine subcommittee functions, standards of conduct, procedures, and specified technology uses; (2) review and consider whether the procedures and rules used by the General Assembly are appropriate models for the council; (3) meet at least three times annually; and (4) conduct at least one public hearing annually on specified issues.

All council meetings must be open to the public, and council members may not receive compensation.

Current Law/Background: Several State entities are charged with addressing development and growth issues in the State, including the Maryland Department of Planning (MDP), the Smart Growth Subcabinet, and the Maryland Sustainable Growth Commission. These entities are described below.

MDP works with State and local government agencies to ensure comprehensive and integrated planning for the best use of State resources. MDP provides data, trend analysis, research assistance, and policy development and implementation support for local governments, communities, businesses, and organizations. MDP also provides technical assistance, local program review, and planning design services to local governments.

The Smart Growth Subcabinet was established in 2001 (Chapter 566) to promote smart growth policy. Specifically, the 13-member Smart Growth Subcabinet must (1) provide a forum for discussion of interdepartmental issues; (2) work together using all available resources to promote the understanding of smart growth; (3) in coordination with State agencies, evaluate and report annually to the Governor and the General Assembly on the implementation of the State's smart growth policy; and (4) perform other duties assigned by the Governor.

The Maryland Sustainable Growth Commission was established in 2010 (Chapters 488 and 489) to:

- assess and advise on the progress of State, regional, and local planning toward specified planning goals;
- make recommendations on the adequacy, coordination, and implementation of funding mechanisms and other State assistance for planning activities and infrastructure and land preservation needs;
- promote planning coordination and interjurisdictional cooperation;
- advise on the content, preparation, and implementation of the State development, transportation, and housing plans;
- promote and make recommendations regarding efficient and predictable model State and local government regulations to achieve specified planning goals;
- evaluate the continuing viability and effectiveness of specified smart growth indicators and recommend changes;
- review specified planning reports submitted by local governments;
- develop and assist with smart growth educational and outreach programs;

- periodically review specified educational requirements for members of planning boards and commissions and boards of appeals;
- recommend changes in State law, regulations, policies, and procedures necessary to achieve State planning goals; and
- serve as an advisory board to the Smart Growth Subcabinet.

MDP advises that the bill may be unnecessary given the Sustainable Growth Commission's role in advising the Smart Growth Subcabinet.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Association of Counties, Maryland Municipal League, Maryland Department of Planning, Department of Legislative Services

Fiscal Note History: First Reader - March 5, 2012
mc/lgc

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