

**Department of Legislative Services**  
Maryland General Assembly  
2012 Session

**FISCAL AND POLICY NOTE**  
**Revised**

Senate Bill 126

(Chair, Education, Health, and Environmental Affairs  
Committee)(By Request - Departmental - Natural  
Resources)

Education, Health, and Environmental Affairs

Environmental Matters

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**Department of Natural Resources - Land Preservation and Recreation Plans**

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This departmental bill requires that the Maryland Land Preservation and Recreation Plan (LPRP) be prepared and revised every five years, instead of six years, and requires the Department of Natural Resources (DNR) to consult with local governments when preparing and revising the Maryland LPRP. In addition, local LPRPs must be revised at least every five years, instead of at least every six years.

The bill takes effect June 1, 2012.

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**Fiscal Summary**

**State Effect:** The bill's requirements can be handled with existing budgeted resources. Failure to enact the bill could result in a loss of federal funds for land conservation and recreation projects.

**Local Effect:** The bill's requirements can be handled with existing local resources.

**Small Business Effect:** DNR has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment. (The attached assessment does not reflect amendments to the bill.)

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**Analysis**

**Current Law/Background:** Program Open Space (POS), established in 1969 and administered by DNR, provides funds for State and local conservation acquisitions and

development of public outdoor recreational sites, facilities, and open space. The State share focuses on the acquisition of land for natural resource conservation with the inclusion of low-impact recreational activities where appropriate. The local jurisdictions' share is used primarily for the acquisition and development of high-impact recreational sites and facilities. As of January 12, 2012, the State share had preserved 312,345 acres and the local share had preserved 44,953 acres.

To ensure POS funds are focused on meeting the most important preservation and recreational needs, the State and each local jurisdiction must prepare LPRPs every six years. The LPRP must identify and recommend for State acquisition areas facing the most intense and immediate development pressure. DNR, in cooperation with the Maryland Department of Planning (MDP), must prepare and revise the Maryland LPRP. Chapter 410 of 2011 transferred responsibility for preparation of the Maryland LPRP from MDP to DNR. Local governments must prepare and submit local LPRPs with acquisition goals based on current population data. Local LPRPs must be revised at least every six years and submitted one year prior to the revision of the Maryland LPRP. The most recent Maryland LPRP was released in 2009.

According to DNR, the five-year timeframe is necessary to ensure that the State continues to qualify for federal Land and Water Conservation Fund funds. Federal guidelines require states to submit a LPRP every five years. In addition, DNR advises that, while it is committed to working with local governments in preparing the Maryland LPRP, the bill formalizes that commitment in statute.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Charles and Montgomery counties, Department of Natural Resources, Maryland Department of Planning, Department of Legislative Services

**Fiscal Note History:** First Reader - January 25, 2012  
ncs/lgc Revised - Senate Third Reader - March 29, 2012

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Department of Natural Resources – Maryland Land Preservation and Recreation Plan

BILL NUMBER: SB 126

PREPARED BY: Maryland Department of Natural Resources

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.