

Chapter 218

(House Bill 1057)

AN ACT concerning

Prince George’s County – Recreation Authority – Authorization Blue Ribbon Workgroup

PG 406-22

FOR the purpose of ~~authorizing the governing body of Prince George’s County to establish a recreation authority in the county;~~ establishing the Prince George’s County Recreation ~~Authority~~ Blue Ribbon Workgroup to study and make recommendations to the Prince George’s County Council ~~regarding the establishment of a recreation authority in the county;~~ stating the intent of the General Assembly regarding the possible transfer of employees from the Maryland–National Capital Park and Planning Commission to a Prince George’s County recreation authority on improving access to certain programming, facilities, and opportunities, the potential costs, benefits, and advantages of transferring the responsibility for certain operations from the Maryland–National Capital Park and Planning Commission to a different entity, and how that entity could cover certain costs; and generally relating to recreation in Prince George’s County.

BY adding to

Article – Local Government

Section 31-101 through ~~31-104~~ 31-103 to be under the new title “Title 31. Prince George’s County Recreation ~~Authority~~ Blue Ribbon Workgroup”

Annotated Code of Maryland

(2013 Volume and 2021 Supplement)

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

Article – Local Government

TITLE 31. PRINCE GEORGE’S COUNTY RECREATION ~~AUTHORITY~~ BLUE RIBBON WORKGROUP.

31-101.

(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “COMMISSION” MEANS THE MARYLAND–NATIONAL CAPITAL PARK AND PLANNING COMMISSION ESTABLISHED UNDER DIVISION II OF THE LAND USE ARTICLE.

(C) “WORKGROUP” MEANS THE PRINCE GEORGE’S COUNTY RECREATION ~~AUTHORITY~~ BLUE RIBBON WORKGROUP.

31-102.

THIS TITLE APPLIES ONLY TO PRINCE GEORGE’S COUNTY.

31-103.

~~THE GOVERNING BODY OF PRINCE GEORGE’S COUNTY MAY CREATE A COUNTY RECREATION AUTHORITY TO OVERSEE YOUTH SPORTS AND RECREATION FUNCTIONS IN THE COUNTY.~~

~~31-104.~~

(A) THERE IS A PRINCE GEORGE’S COUNTY RECREATION ~~AUTHORITY~~ BLUE RIBBON WORKGROUP.

(B) THE WORKGROUP CONSISTS OF THE FOLLOWING MEMBERS:

(1) ~~ONE MEMBER~~ TWO MEMBERS APPOINTED BY THE PRINCE GEORGE’S COUNTY HOUSE DELEGATION;

(2) ~~ONE MEMBER~~ TWO MEMBERS APPOINTED BY THE PRINCE GEORGE’S COUNTY SENATE DELEGATION;

(3) ~~ONE MEMBER~~ TWO MEMBERS APPOINTED BY THE COUNTY EXECUTIVE;

(4) ~~ONE MEMBER~~ TWO MEMBERS APPOINTED BY THE COUNTY COUNCIL;

(5) ~~ONE REPRESENTATIVE~~ THE PRESIDENT OF THE PRINCE GEORGE’S COUNTY BOYS AND GIRLS CLUB;

(6) ONE REPRESENTATIVE OF THE ~~MUNICIPAL AND COUNTY GOVERNMENT EMPLOYEES ORGANIZATION~~ PRINCE GEORGE’S COUNTY DEPARTMENT OF PARKS AND RECREATION, DESIGNATED BY THE DIRECTOR OF THE DEPARTMENT; ~~AND~~

(7) THE PRINCE GEORGE'S COUNTY PARKS AND RECREATION YOUTH AND COUNTYWIDE SPORTS DIVISION CHIEF;

(8) ONE REPRESENTATIVE OF THE UFCW LOCAL 1994 MUNICIPAL AND COUNTY GOVERNMENT EMPLOYEES ORGANIZATION, APPOINTED BY THE COUNTY EXECUTIVE;

(9) THE CHIEF EXECUTIVE OFFICER OF THE PRINCE GEORGE'S COUNTY ARTS AND HUMANITIES COUNCIL;

(10) ONE REPRESENTATIVE OF THE NATIONAL RECREATION AND PARK ASSOCIATION, APPOINTED BY THE COUNTY COUNCIL; AND

(11) ONE REPRESENTATIVE OF THE PRINCE GEORGE'S COUNTY AGING AND DISABILITIES SERVICES DIVISION, APPOINTED BY THE COUNTY EXECUTIVE.

(C) EACH MEMBER OF THE WORKGROUP MAY BE QUALIFIED ON THE BASIS OF KNOWLEDGE AND EXPERIENCE PERTINENT TO THE PURPOSE OF THE WORKGROUP INCLUDING:

(1) PUBLIC RECREATION OPERATIONS;

(2) MANAGING ACTIVE AND PASSIVE CULTURE AND LEISURE PROGRAMS;

(3) RECREATIONAL YOUTH SPORTS;

(4) PUBLIC FINANCE AND FISCAL AFFAIRS;

(5) GOVERNMENT OPERATIONS;

(6) PERFORMING AND VISUAL ARTS;

(7) QUASI-PUBLIC ENTITIES; OR

(8) A FIELD OF COMPARABLE RELEVANCE TO DELIVERING PUBLIC RECREATION SERVICES.

(D) THE PURPOSE OF THE WORKGROUP IS TO STUDY AND, ~~PRIOR TO THE ESTABLISHMENT OF A COUNTY RECREATION AUTHORITY UNDER THIS TITLE,~~ MAKE RECOMMENDATIONS ON:

~~(1) THE POWERS AND DUTIES OF ANY COUNTY RECREATION AUTHORITY ESTABLISHED BY THE COUNTY AND THAT IS NOT AFFILIATED WITH THE COMMISSION;~~

~~(2) WHICH FUNCTIONS OF EXISTING DIVISIONS OF PRINCE GEORGE'S COUNTY GOVERNMENT, QUASI GOVERNMENT, OR COMMISSION AGENCIES COULD BE ASSUMED BY A COUNTY RECREATION AUTHORITY;~~

~~(3) FUNDING FOR A COUNTY RECREATION AUTHORITY;~~

~~(4) ANY CHANGES TO STATE OR COUNTY LAW NECESSITATED BY THE ESTABLISHMENT OF A COUNTY RECREATION AUTHORITY NOT AFFILIATED WITH THE COMMISSION; AND~~

~~(5) ALL ASPECTS OF A TRANSFER OF ANY PERSONNEL AND THE RESPONSIBILITY FOR YOUTH SPORTS, ARTS, AND RECREATION FROM THE COMMISSION TO A COUNTY RECREATION AUTHORITY.~~

(1) IMPROVING ACCESS TO THE EXISTING YOUTH SPORTS, ARTS, AND RECREATION PROGRAMMING AVAILABLE TO RESIDENTS OF THE COUNTY;

(2) IMPROVING ACCESS TO PUBLICLY OWNED FACILITIES, FIELDS, AND GYMS FOR COUNTY-BASED ORGANIZATIONS;

(3) IMPROVING ACCESS TO OPPORTUNITIES FOR COUNTY-BASED MINORITY-OWNED AND SMALL BUSINESSES IN PROCUREMENTS RELATED TO THE DELIVERY OF RECREATION PROJECTS AND PROGRAMS;

(4) THE POTENTIAL COSTS, BENEFITS, ADVANTAGES, AND DISADVANTAGES OF TRANSFERRING THE RESPONSIBILITY FOR SPECIFIC OPERATIONS OF THE EXISTING YOUTH SPORTS, ARTS, AND RECREATION FUNCTIONS FROM THE COMMISSION TO A DIFFERENT ENTITY WHETHER THAT BE AN AUTHORITY, A COUNTY AGENCY, OR ANY OTHER ENTITY; AND

(5) HOW A DIFFERENT ENTITY COULD FUND THE COSTS OF ANY ACTUARIAL DEFICIENCY OR OTHER ADVERSE FINANCIAL CONSEQUENCE CAUSED TO THE PLAN, PARTICIPANTS, OR BENEFICIARIES OF ANY EXISTING EMPLOYMENT BENEFIT PROGRAM, RETIREMENT PLAN, OR OTHER POSTEMPLOYMENT BENEFIT PROVIDED BY THE COMMISSION IN THE EVENT ANY EMPLOYEE WHO PERFORMED YOUTH SPORTS, ARTS, OR RECREATION FUNCTIONS IS TRANSFERRED TO THE NEW ENTITY.

~~(D)~~ (E) ALL WORKGROUP RECOMMENDATIONS SHALL BE AFFIRMED WITH A MAJORITY VOTE OF THE WORKGROUP MEMBERSHIP DURING A PUBLIC MEETING.

~~(E)~~ (F) THE WORKGROUP SHALL SUBMIT THEIR RECOMMENDATIONS TO THE PRINCE GEORGE'S COUNTY COUNCIL ON OR BEFORE ~~DECEMBER 1, 2022~~ APRIL 11, 2023.

~~SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, should the governing body of Prince George's County create a recreation authority, if the General Assembly passes any law providing for the transfer of any employee of the Maryland National Capital Park and Planning Commission that performed a recreation function to the Prince George's County recreation authority, any employee who accepts the transfer shall retain the right to retain current pay, accrued leave, participation in the transferred employee's mandatory retirement plan, collective bargaining rights, and any other benefits enjoyed at the time of the transfer.~~

SECTION ~~2~~ 2. AND BE IT FURTHER ENACTED, That this Act ~~shall take effect July 1, 2022~~ is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, April 21, 2022.