



Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Jeannie Haddaway-Riccio, Secretary
Allan Fisher, Deputy Secretary

Bill Number: Senate Bill 56

Short Title: Program Open Space - Local Plans and Programs - General Assembly Approval

Department's Position: Letter of Information

Explanation of Department's Position

The Maryland Department of Natural Resources provides the following information on Senate Bill 56. Senate Bill 56 requires the General Assembly to enact legislation approving any local annual or revised program and any revised local land preservation and recreation plan under Program Open Space before it takes effect.

Program Open Space (POS) Local provides financial and technical assistance to local subdivisions (counties and municipalities) for the planning, acquisition, and/or development of recreation land or open space areas. DBM allocates POS Local funds annually to every county and Baltimore City according to a formula. The Department administers POS Local according to Sections 5-905 and 5-906 of the Natural Resources Article which includes the following requirements:

- Every county and Baltimore City must submit an annual program of proposed acquisition and development projects to be funded with POS Local funds to the Department of Planning for review and to the Department of Natural Resources for approval by July 1 of each fiscal year. Prior to approval of a local annual program, or any revision thereof, the Department provides the legislators from the district within which any part of the local jurisdiction is located the opportunity to review and comment on the annual program or its revisions.
- Every county and Baltimore City must revise its local land preservation and recreation plan at least every 5 years and submit the revised local plan to the Department and to the Department of Planning for joint approval. Prior to approval of a revised local plan, the Department provides the legislators from the district within which any part of the local jurisdiction is located the opportunity to review and comment on the revised local plan.

A process already exists in statute by which the Maryland General Assembly has a role in reviewing the annual programs and local land preservation, parks, and recreation. Requiring the Maryland General Assembly to enact legislation approving these documents before they can take effect will delay projects proposed for POS Local funding. For example, since annual programs are due July 1 for the upcoming fiscal year, requiring legislation be enacted approving the annual

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program would mean that the Department could not present any POS Local projects to the Board of Public Works for approval until the following spring, delaying program encumbrances and expenditures and the completion of local park and recreation projects. In addition, this legislation would result in the majority of POS Local projects being submitted to Clearinghouse Review and the Board of Public Works for approval only during the last part of the fiscal year instead of throughout the fiscal year. Compressing a full year of work into the last part of the year could cause further delays or require the hiring of additional staff to assist processing.

For any additional information, please feel free to contact our Legislative and Constituent Services Director, Bunky Luffman.