



Senate Bill 56

Program Open Space - Local Plans and Programs - General Assembly Approval

MACo Position: **OPPOSE**

To: Education, Health & Environmental
Affairs Committee

Date: January 25, 2022

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **OPPOSES** SB 56. This bill injects an unwarranted and potentially detrimental General Assembly approval stage into the local designation of projects and offerings under Program Open Space.

Since 1969, Program Open Space has helped counties expand access to public recreational areas. The 1968 Legislative Council committee on recreational areas recommended that the State develop and implement a program to:

- “(1) Expedite acquisition of outdoor recreation and open space areas before escalating cost of land prevents its purchase for public use and before potential areas are devoted to some other use; and*
- (2) Accelerate development and capital renewal of needed outdoor recreation facilities, including the provision of public access to the facilities.” (§5–902)*

In the over half-century since Program Open Space was implemented, the State of Maryland and its counties have been immensely successful at achieving these goals. The program has advanced numerous health and economic benefits to Marylanders. The Department of Natural Resources highlights that home values increase faster around parks and protected areas and new businesses prefer communities with healthy environments. Access to active and outdoor venues like these are a central element in our state’s “quality of life” proposition.

Historically, the General Assembly has also played an important role with the success of Program Open Space. Legislation has helped to prioritize its use for the balanced goals of land preservation and active resident access. This visioning role should remain the province of a citizen legislature, to guide and refine the scope of the program as times change. SB 56, however, expands that role to smaller-scale ministerial duties, where such a large deliberative body would be least effective.

One successful hallmark of Program Open Space has been its deliberate design to grant speed and discretion to counties in expanding access to active and outdoor recreational spaces. This bill would compromise that local autonomy by effectively granting the General Assembly a “veto” over these local plans. This would create an additional waiting period of at least a year before a county could move forward with its local plan. That additional delay would not only create a bureaucratic backlog, but also have a negative impact on economic development. Land acquisitions, park upgrades, the purchase of necessary equipment, etc., would all be delayed, and in many cases, opportunities arising from willing landowners would be lost.

SB 56 could undermine a very productive State/local collaborative model for one of our state’s showcase policy innovations in Program Open Space. Accordingly, MACo requests an **UNFAVORABLE** report on SB 56.