



POSITION STATEMENT

Bill: HB 1057 (PG 406-22) – Prince George’s County – Recreation Authority - Authorization

Position: Oppose **Date:** February 19, 2022

Contact: Adrian R. Gardner, General Counsel
Caleen Kufera, Assistant General Counsel

What The Bill Does: This bill would establish a work group to make legal, policy, and fiscal recommendations on how to effectuate a transfer of existing recreation programs and personnel from the Maryland-National Capital Park and Planning Commission (the “Commission”) to a new County Recreation Authority (the “Authority”). It also authorizes the governing body of Prince George’s County to create such an Authority after the work group delivers its recommendations.

Why We Oppose: The Commission opposes the current iteration of this bill because it presumes an outcome even before the first data point is considered. While the agency supports the laudable goal of reimagining how to deliver the best recreational opportunities for everyone in Prince George’s County – and assuming for discussion that a study group is necessary – the appropriate inquiry should start with a recognition that survey data shows widespread support for the Commission’s facilities and recreation programs. Indeed, the Commission regularly evaluates the community’s program needs and a recent survey suggests that County households with a favorable opinion about the value of the Commission’s recreational services outnumber those with an unfavorable opinion by 6-to-1. Unless a work group examines the right questions, our professionals have serious concerns that support for elite sports might come at the expense of other sporting, cultural, social, or leisure-, history-, senior- and health-based recreational programs so many Prince Georgians have come to love and rely on. [Spring 2022 Prince George’s County Parks and Recreation Guide](#)

Necessary Amendments: Several key amendments are essential to make it feasible for the bill to produce a “good government” outcome.

First, the bill should expressly require the group to make a threshold assessment of relative costs and benefits – both the “pros and cons” – of creating a new business model or quasi-private entity to manage the extensive portfolio of public recreation in Prince George’s County. For example, although public ecosystem needs to support elite youth sports that can yield scholarships and professional opportunities, one such potential “con” which the work group must address is the national and local trend of private pay-to-play leagues that reportedly are “leading poor and even

Office of the General Counsel

221 Prince George Street, First Floor, Annapolis, Maryland 21401
410.263.1930 tel.

6611 Kenilworth Avenue, Suite 200, Riverdale, Maryland 20737
301.454.1670 tel.

middle-class families to hang up their cleats.” (See [Game over: Middle-class and poor kids are ditching youth sports](#), CBS News MoneyWatch, August 15, 2019, accessed February 17, 2022.).

Second, the work group composition is inadequate to lead a meaningful study. For example, the director of the Commission’s existing Department of Parks and Recreation is an essential voice to participate in the panel and their exclusion is a mistake. Similarly, the Commission supports a suggestion made by several County Council members to include additional representation for the Council or its staff. The work group should also include representatives from the Prince George’s County Public School System, Library Board and Community College – other public institutions that play an integral role in delivering a total recreational experience in Prince George’s County. Finally, the “recreation expert” proposed in an amendment adopted for the bill should be selected by the Executive Council of the [Maryland Recreation and Park Association \(MRPA\)](#), the impartial statewide organization of Maryland’s recreation and park professionals.

Third, the bill should also spell-out the appropriate qualifications for membership of a group for which “blue ribbon” acclaim is proposed. Regardless of their respective sources of appointment, each member should be appropriately credentialed, knowledgeable, and experienced in something pertinent to the group’s mission – recreation, public finance, government operations, quasi-public entities, etc.

Fourth, apart from our concerns about the proposed study, the bill also threatens our current retiree community and all the other existing retirement stakeholders. In this regard, it must eliminate any doubt that everyone’s benefits will be held harmless if any employee transfer actually ensues – not just those who ultimately transfer.

While it is impossible to predict the impact with any precision yet, transferring out a significant number of recreation personnel certainly will change the actuarial position of our agency’s pension and retiree health funds. That places taxpayers in both counties, our current employees and current retirees at risk of making up any shortfall – by more taxes, additional retiree costs, cutting benefits or a combination of all three. The General Assembly should expressly foreclose the possibility of unfairly shifting any actuarial deficiency either to the beneficiaries, who will rely on their earned pensions, or the taxpayer-bystanders.

Without appropriate amendments to address these core concerns, the Commission strongly opposes this bill and urges an unfavorable report.

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ATTACHMENT: M-NCPPC Amendment Concept/Draft for Discussion (2/18/22)

BY:

(To be offered in the Prince George’s County House Delegation)

AMENDMENTS TO HB 1037

(First Reading Bill File)

AMENDMENT NO. 1

On page 2, in line 26, strike “AND”.

On page 3, in line 1, after “CHIEF” insert “;

(8) THE DIRECTOR OF THE PRINCE GEORGE’S COUNTY DEPARTMENT OF PARKS AND RECREATION, OR THE DIRECTOR’S DESIGNEE;

(9) ONE PUBLIC RECREATION EXPERT APPOINTED BY THE EXECUTIVE COUNCIL OF THE MARYLAND RECREATION AND PARK ASSOCIATION (MRPA); AND

(10) ONE REPRESENTATIVE APPOINTED BY THE CHIEF EXECUTIVE OFFICER OF THE PRINCE GEORGE’S COUNTY PUBLIC SCHOOL SYSTEM; AND

(11) ONE REPRESENTATIVE APPOINTED BY THE CHIEF EXECUTIVE OFFICER OF THE PRINCE GEORGE’S COUNTY MEMORIAL LIBRARY SYSTEM; AND

(12) ONE REPRESENTATIVE APPOINTED BY THE PRESIDENT OF THE PRINCE GEORGE’S COUNTY COMMUNITY COLLEGE”;

after line 1, insert:

“(C) EACH MEMBER OF THE WORKGROUP SHALL BE QUALIFIED ON THE BASIS OF KNOWLEDGE AND EXPERIENCE IN A PROFESSIONAL DISCIPLINE PERTINENT TO THE PURPOSE OF THE WORKGROUP INCLUDING:

- (1) PUBLIC RECREATION OPERATIONS;**
- (2) MANAGING ACTIVE AND PASSIVE CULTURE AND LEISURE PROGRAMS;**
- (3) ELITE YOUTH SPORTS;**
- (4) PUBLIC FINANCE AND FISCAL AFFAIRS;**
- (5) GOVERNMENT OPERATIONS;**
- (6) QUASI-PUBLIC ENTITIES; OR**
- (7) A FIELD OF COMPARABLE RELEVANCE TO DELIVERING PUBLIC RECREATION SERVICES.”;**

AMENDMENT NO. 2

On page 3, after line 4, insert:

“(1) THE POTENTIAL COSTS, BENEFITS, ADVANTAGES AND DISADVANTAGES OF TRANSFERRING THE RESPONSIBILITY FOR OPERATIONS OF THE EXISTING YOUTH SPORTS AND RECREATION FUNCTIONS FROM THE COMMISSION TO A RECREATION AUTHORITY CREATED IN ACCORDANCE WITH § 31-103 OF THIS TITLE”; and in lines 5, 8, 11, 12, and 15, strike “(1)”, “(2)”, “(3)”, “(4)”, and “(5)”, respectively, and substitute “(2)”, “(3)”, “(4)”, “(5)”, and “(6)”, respectively.

in lines 18 and 20, strike “(D)” and “(E)”, respectively, and substitute “(E)” and “(F)”, respectively; after line 29, insert:

AMENDMENT NO. 3

On page 3, in line 26-29 after “authority,” strike “any” and down through “rights,” in line 29, and substitute “any employee who accepts the transfer shall be employed by the new recreation authority created by this act on the same terms and conditions of employment enjoyed at the time of the transfer, including, without limitation, current pay, accrued leave balances, collective bargaining rights, accumulated contributions and retirement benefits.”.

“SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, any trust fund or other benefit plan established to support a retiree, participant or other beneficiary of a Commission post-employment benefit plan shall not suffer any actuarial deficiency as a result of a transfer of Commission employees to the new recreation authority created by this act, and that the General Assembly shall appropriate funding in such amounts as may be required to cure any such deficiency otherwise obtaining.”;

and in line 30, strike “3.” and substitute “4.”.