



Maryland

DEPARTMENT OF PLANNING

HEARING DATE: January 28th, 2025

BILL NO: HB 272

COMMITTEE: Environment and Transportation

POSITION: Support

FOR INFORMATION CONTACT: Andrew Wilson (443) 721-6789

TITLE: Maryland Department of Planning – Modernization

BILL ANALYSIS:

HB 272 amends the coordination of planning and mapping functions and repeals obsolete requirements generally related to the Department of Planning and State planning.

POSITION AND RATIONALE:

The Maryland Department of Planning (MDP) supports HB 272. This bill repeals several antiquated provisions assigned to MDP over the years that are no longer needed or applicable and improves department efficiency and clarifies expectations of the department. It should be noted that this list of proposed departmental changes was developed through an exhaustive internal assessment of statutory requirements assigned to MDP and how the department could be most effective serving the state. There are eight components of the MDP Modernization bill:

1. Requiring correspondence from the State Administrator of Elections regarding precinct boundary updates.

This provision of the bill adds a requirement of the State Administrator of Elections to electronically send new and updated precinct boundary information they receive from local boards of elections to the MDP Secretary. Currently, this formal data sharing/coordination does not occur. The electronic data on election precinct boundaries would be used by MDP staff to update Maryland precinct population counts and maps that are published on the MDP website. Without this proposed requirement there is significant staff time dedicated to contacting each individual board of election to receive their precinct information. This requirement would save staff time at MDP that would then be allocated to other responsibilities.

2. Adjusting MDP responsibilities in ensuring consistency of water and sewerage plans and solid waste management plans with local master plans

This provision of the bill adjusts the current responsibility of MDP to comment on all county plans (in this case “all” includes solid waste management plans and water and sewerage plans) and advise on whether they are in alignment with local master plans to only comment and advise on water and sewerage plans and amendments. Water and sewerage planning significantly impacts how land can be used, which is MDP’s planning focus. Planning for solid waste recycling, collection and disposal focuses on engineering issues and not on land use planning. Requiring MDP staff to comment on solid waste management plans does not account for the level of

staff and subject matter expertise needed and adds limited to no value to MDE's decision making process. This change would narrow the focus of what MDP would be expected to comment on and allow for greater detail on two areas, water and sewerage planning, which have the greatest impact on land use and development, and where the department has subject matter expertise.

3. Adjusting requirement to produce municipal population projections for all municipalities.

This provision of the bill adjusts the population projection requirements of MDP by no longer requiring population projections to be prepared for all municipal corporations, requiring only projections produced for the State and each county to have details of age, sex, and race, and expanding the sources of information in which MDP can consult in preparing certain projections. It also adds a provision, given the removal of requiring population projections for all municipalities, that a municipality will still receive a population projection produced by MDP upon request.

MDP does not have the resources to accurately or efficiently prepare population projections for every municipality in the State, and a substantial fiscal impact would be incurred if it were held to fulfill this responsibility to the letter. The changes presented in this proposal are meant to avoid this impact and to provide consistent and accurate projections for municipal corporations upon request. Moving to municipal projections upon request basis would give MDP more flexibility in contacting the municipality and communicating to them the difficulties and inaccuracies that may be present if we were to produce a projection for them. These difficulties and inaccuracies can be present due to low population, lack of up-to-date data, and low census participation within a municipality, as well as anticipated annexations.

4. Removing reference to the now discontinued State Economic Growth, Resource Protection, and Planning Commission as well as a reporting requirement to the Commission.

This provision of the bill removes reference in statute to the State Economic Growth, Resource Protection, and Planning Commission (Commission) that was discontinued over 20 years ago. It also removes a requirement of local jurisdictions to report on certain projects to the Commission as there is no longer a need for that requirement. Given that this Commission has been discontinued, and has been for some time, removing reference to it and any reporting requirements related to it aligns with this goal.

5. Removing reference to outdated capital facilities planning responsibilities which are now housed within DBM.

This provision of the bill removes the ability of the Secretary or a staff member of MDP to have access to capital facilities planning information in the possession of any unit of State government. In 1989 capital budget duties were removed from MDP and transferred to the Department of Budget and Management (DBM). SFPA §5-301 now states that MDP is the staffing agency to the Governor on planning matters except for capital facilities planning, so this proposal will update law to remove an ability MDP that has not practiced in 35 years. Given that 1) this ability has not been practiced in the 35 years since the responsibility of capital facilities planning was shifted to DBM, and 2) keeping this ability in law could cause confusion as to who should and does have access to this information, MDP is proposing repealing this ability as its repeal would make the surrounding law clear and more concise.

6. Removing outdated statute allowing for the transfer of MDP budget to the Maryland-National Capital Park and Planning Commission.

This provision of the bill removes the ability of the Department of Planning (MDP) Secretary to include in MDP's budget an amount of up to \$100,000 to pay for the "State's share" (SFPA §5-407(b)) of regional planning projects taken on by the Maryland-National Capital Park and Planning Commission (M-NCPPC). There is no record of any amount being etched out of MDP's budget to aid in paying for these projects, and there is no expectation from the M-NCPPC for this funding to be provided as MDP's relationship with them and other regional planning organizations has changed in the time since the original code was published. Therefore, MDP is moving to repeal this portion of code to align with the goal of making the statute clearer and more

concise and to avoid any misaligned expectations of future MDP and M-NCPPC staff regarding this funding provision.

7. Removing responsibility to establish geographic classification standards that have been antiquated by modern GIS standards.

This provision of the bill removes the responsibility of MDP to establish statewide classification standards for geographically referencing all basic planning information collected by any unit of state government. This responsibility was enacted before modern Geographic Information Systems (GIS) standards were established and it would provide no value to create different standards for mapping planning spatial data versus non-planning spatial data. Given the worldwide use of GIS, standards are established internationally. The Maryland Department of Information Technology's GIS Professional Services provides statewide enterprise level GIS support and guidance on applicable state standards. Accordingly, MDP is recommending repealing this portion of law.

8. Adjusting requirement of MDP to be a repository and clearinghouse for information on all real property available for public use in the State to simply being a repository for information on State-owned property.

This provision of the bill adjusts a responsibility of the Department of Planning (MDP) to be a repository and clearinghouse for information about real property available for public use to instead solely be a repository for information about state-owned real property. MDP does not have the resources to maintain a list of all real properties available for public use (e.g. local, regional, and federal), and to keep this responsibility on the books would subject MDP to a substantial fiscal and operational impact if we were held to fulfill this responsibility to the letter.