



House Bill 105

Program Open Space – Apportionment Formula and Committee

MACo Position: **SUPPORT**

To: Appropriations Committee

Date: January 31, 2017

From: Leslie Knapp, Jr. & Kevin Kinnally

The Maryland Association of Counties (MACo) **SUPPORTS** HB 105. The bill reflects a consensus agreement between state and local government stakeholders regarding the membership and role of an existing statutory committee in reviewing the apportionment formula for local side Program Open Space (POS) funding.

The Joint Chairman’s Report (JCR) for the FY 2016 capital budget contained committee narrative requiring the formation of a comprehensive workgroup to review various aspects of the land preservation programs supported by the state transfer tax. Per the committee narrative, the workgroup consisted of representatives of the Departments of Natural Resources, Agriculture, Planning, and Budget and Management, along with county parks and recreation directors and other interested stakeholders.

The JCR narrative specifically required the workgroup to study and make recommendations regarding “the status of the requirement to evaluate the Program Open Space – Local allocation formula annually by a committee.” HB 105 represents the workgroup’s findings on the committee, which has not met since the early 1980s.

HB 105 reconstitutes the committee with appropriate state and local representatives, specifies that the committee serves in an advisory role to the Department of Natural Resources, requires the committee to meet before the end of 2017 and then at least every five years thereafter, and clarifies the factors and criteria the committee must consider when reviewing the local POS apportionment formula.

Local POS is a successful and necessary program that assists county governments in both land acquisition and preservation and the development of recreational facilities. HB 105 updates essentially obsolete sections of Maryland’s Code and creates an improved mechanism to review the local POS apportionment formula. Accordingly, MACo requests the Committee give HB 105 a **FAVORABLE** recommendation.