



POSITION STATEMENT

Bill: HB 394 Maryland-National Capital Park and Planning Commission -
Mandatory Referral Review- PG/MC 101-20

Position: Support with Amendment **Date:** March 3, 2020

Contact: Adrian R. Gardner, General Counsel

What The Bill Does: The bill establishes the basic standard of reasonableness in the public disclosure process known as “mandatory referral.” It also establishes that the statutory deadline for completing the mandatory referral review is not triggered until a complete submittal is accepted for review.

Why We Support: The Maryland-National Capital Park and Planning Commission (“Commission”) supports this bill because the mandatory referral process ordinarily is the only opportunity for public disclosure, analysis and comment on development projects undertaken by state and local government agencies. Any fair disclosure process requires disclosing information adequate for residents to fully understand the nature of a public project; specifically, how the proposed location, character, grade, and extent of activity resulting from the project will affect them and their community. Even though the process results in recommendations that are non-binding, it provides an opportunity for the public to address their concerns in an open public forum.

This bill clarifies that many such public projects are complex with multiple stages in their development and implementation – from change in use of an existing facility or site selection for a new facility, and later to design and construction. Each stage in the life of a project raises different issues for the community at each phase, many of which are unknown at the earlier stages of development.

Additionally, the bill assures that all the necessary information from the public body is included in each submission before the Commission is required to review and present to the public so that the Commission’s comments are thorough, comprehensive, and appropriately address all issues and regulatory requirements prior to implementation of the project.

For this reason, the Commission urges your favorable report of this bill subject to a simple amendment to include a narrative description in the information submittal.

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By: Delegate Carr

(To be offered in the Metro Washington Area Committee)

AMENDMENTS TO PG/MC 101-20

(Sprint Copy)

On page 3, in line 4, after “MEANS” insert “AN EXPLANATORY NARRATIVE ACCOMPANIED BY”.