PART

4

PUBLIC SAFETY

I Correction
II Fire and Rescue Services
III Police Protection

PART

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PLANNING AND DEVELOPMENT

I Planning
II Substate Districting
III Economic Development
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VII Agriculture

REPORT of the MARYLAND COMMISSION on the FUNCTIONS of GOVERNMENT

July, 1975

The report consists of five parts including the Summary

VOLUME III

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July 15, 1975

The Honorable Marvin Mandel
Governor of Maryland

The Honorable Steny H. Hoyer
President, State Senate

The Honorable John Hanson Briscoe
Speaker of House of Delegates

Sirs:

The report of this Commission appointed pursuant to Joint Resolution No. 32 of the General Assembly passed during its 1972 Session is transmitted herewith.

Respectfully submitted,

Joseph Sherbow

JOSEPH SHERBOW, Chairman

John W Neumann

JOHN W. NEUMANN, Vice-Chairman

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The Commission expresses its appreciation to Dr. Carl T. Richards, Executive Director, and staff for the quality of research, and their enthusiasm and dedication throughout our study.

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Preface

The Commission on the Functions of Government was created by Joint Resolution No. 32 which was passed by the Maryland General Assembly during its 1972 Session (See Appendix A). In August, 1972 Governor Marvin Mandel appointed the twenty-seven member Commission on the Functions of Government to undertake a comprehensive study of all functions of government, except "public education."

Joseph Sherbow was named Chairman and John W. Neumann, Vice-Chairman. The other members are State Senators, members of the House of Delegates, elected county officials, elected officials of incorporated municipalities, and citizens with expertise in state and local government.

The Commission proceeded to make studies which would define those functions of government which should be solely the responsibility of the State, those functions which should be solely the responsibility of the local subdivisions, and those functions which should be jointly performed. In addition, the Commission was given the responsibility of making recommendations as to modifications of intergovernmental fiscal relations necessary to assure adequate resources for the performance of these functions.

The report is divided into the following parts:

I. Summary
II. Financing Governmental Functions
III. Health and Licensing
IV. Public Safety
V. Planning and Development

The report presents a series of recommendations by the Commission.

Working Procedures of the Commission

The first two general meetings of the Commission, held on September 29, 1972 and December 15, 1972, were primarily for organizational purposes and to form a consensus as to what the specific tasks of the Commission were, as well as to develop a viable working plan to fulfill its mission. The Chairman and Vice Chairman were directed to employ a staff. The staff developed a three phase approach for the Commission to follow in order to accomplish its assigned task. These broad plans were:

1. Identification and description of the present governmental delivery systems.
2. Study, analyze, and evaluate the existing systems.
3. Conclusion—recommendations and schedule for implementation.

The work of the Commission was expected to be completed in about two and one-half years, but special interim reports would be issued separately from the final report if desirable.

A complete list of governmental functions, with the exception of education, performed at all governmental levels in the State of Maryland was compiled. In order to handle the mass of material that was needed to study and analyze the various functions, this list was then split into two groupings. The Commission was also divided into two Subcommittees, based upon these two groupings of functions, and began preliminary work on the functional areas as defined. Later, all meetings were for the full Commission membership.

Because of the appointment of a special Commission on the Structure and Governance of Education in early 1973, the Commission was specifically requested by Joint Resolution No. 32 not to study matters relating to public education. Also, in order not to overlap or duplicate the work of the newly created Commission on Judicial Reform, channels of communications were opened between the two groups to insure that the work of each group would complement the other. Certain state and local governmental departments, as for example, Budget, Personnel, and General Services were not included within our study because they are basically staff functions.

The Commission Subcommittees met at various intervals, separately and together, to discuss and analyze broad informational reports compiled by the Commission staff. In general, these informational reports are based upon information and data received from the state, county, and municipal governments and other sources.

A total of eighteen information reports (See Appendix B for a list of informational reports) were prepared by the staff for use by the full Commission and for in-depth study and analysis by the specific Subcommittee assigned the particular functional area. After discussing the informational reports, the Subcommittees developed what were called "areas of concern." The "areas of concern" consisted of questions, issues, specific items, or ideas that were thought to be within the purview of the Commission's task and should be developed further.

Most of the functional areas under study by the Commission were considered as a group. Recommendations affecting Social Services and Elections were made prior to the issuance of this report. The first interim report, dealing with the functional area of Social Services was issued in December, 1973. Parts of the Social Services Report have been implemented through Chapter 709 of the Laws of Maryland, 1974. The result will be the elimination of any fiscal responsibility on the part of local subdivisions as the State assumes the entire responsibility for the Social Services function.

The second interim report concerning the functional area of Elections was published in August, 1974. Administrative recommendations concerning Elections are to be found in that previously published report.

A series of meetings from May 1, 1974 to December 13, 1974 were held by the Commission with state, county, and municipal government officials, as well as interested individuals and groups, after the informational reports had been distributed to them. At the meetings between members of the Commission and state and local governmental officials and other groups, a wide range of problems was discussed. Meetings were held jointly with state and local governmental officials in attendance. Meetings were also held separately for state and local government officials. All meetings were always open to the media and the public.

Between January 18, 1975, and April 18, 1975, a series of meetings were held by the full Commission. Their purpose was to pinpoint specific questions dealing with issue areas within the functional areas studied that evolved from the informational reports and meetings. Tentative proposals for discussion by Commission members were developed. These proposals were then transformed into tentative recommendations accompanied by the rationale for the Commission's stand regarding each tentative recommendation.

A two-day meeting was held at the Donaldson Brown Center, Port Deposit, Maryland on May 14 and 15, 1975. It was at this time that Commission members adopted all the recommendations in this report.

All matters relating to the fiscal responsibilities of governmental units in Maryland, an essential part of the Commission's work, were under constant study. The preliminary plan devised to guide the Commission's work in the financial area was subdivided into two general phases. The initial phase entailed the identification of the intergovernmental fiscal relationships which, as mandated by Joint Resolution No. 32, were to be given consideration by the Commission. The second phase included the compilation, analysis, and evaluation of relevant financial data.

The major part of the financial substructure, which is intergovernmental in nature, is the state aid to local governments. Because state aid to local subdivisions represents an integral part of Maryland's fiscal structure, the Commission directed its attention to a study of the current distribution system. The Logistics Management Institute (LMI), a private, non-profit, research organization with vast experience in analysis and

design of management systems, displayed an interest in this area of our work. As a public service gesture, LMI, without cost to the State of Maryland, agreed to assist the Commission by making a study of the formulas which govern the distribution of revenues from the State to the local jurisdictions. The LMI study focuses on fifty-two statutory formulas which allocate state revenues to augment local financing of services or programs in nineteen subject areas. The findings of the Institute's research efforts and expertise in this area of governmental finance were published in a two volume report included as Appendix G of Part II of this report.

The Commission compiled a vast amount of information on both the administrative, as well as the fiscal aspects of state and local governmental operations. After much study, analysis, and discussion, the Commission reached a number of conclusions. The recommendations contained in the five parts of this report reflect those conclusions.

ACKNOWLEDGEMENTS

It is not possible to undertake a study of this size and scope without the help and cooperation of many people. The Commission expresses its appreciation to the officials of state, county, and municipal governments and to those others who cooperated with the Commission's staff in conducting its research. Thanks are also extended to the many governmental officials at all levels who were interviewed or provided, through other means, the material so necessary for the Commission to perform its task. And, thanks also to those officials and other interested citizens who appeared before the Commission during the series of informational meetings.

The Commission wishes to acknowledge the help of Mrs. Ernie Honig, Research Officer of the Executive Department and the Governor's liaison with the Commission. In addition, the Commission wishes to recognize the vital assistance provided it by Mr. Hans Mayer, Administrative Officer of the Executive Department, in budgetary and related matters.

Special thanks and appreciation are extended to the Logistics Management Institute, 4701 Sangamore Road, Washington, D.C., which, as a public service gesture, undertook a study of the methods through which the State provides financial aid to local governments. This study has provided the Commission with important financial material which has helped ease its task considerably and is discussed further in the report.

The Commission is indebted to the Department of Budget and Fiscal Planning and its Secretary, Dr. R. Kenneth Barnes, and especially a member of the Commission, Dr. H. Louis Stettler, Assistant Secretary of Fiscal Planning; also the Department of Fiscal Services, and its Director, William S. Ratchford, II for their continuous cooperation.

Thanks and appreciation are extended to those individuals who gave freely of their time to assist the Commission, and especially, James R. Bennett, David Gilmartin, and Lucie Lapovsky of the Division of Fiscal Planning in the Department of Budget and Fiscal Planning, and Wells A. Smith from the Department of Fiscal Services. Their assistance was invaluable to the Commission.

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PART IV

SUMMARY

OF

RECOMMENDATIONS

PART IV

Public Safety Recommendations

I. Correction Recommendations

1. *Local governments should continue to be responsible for pre-trial detention and detention until sentencing. The state government should assume all responsibility for post-sentence detention with the provision that the State may contract with local jurisdictions to detain and provide correctional and rehabilitative services for sentenced prisoners.*
2. *Minimum program and facility standards should be developed and strictly enforced in all state and local jails. If local jails fail to meet established standards, the State should have the authority to intervene and make improvements. The costs of such improvements should be shared by the state and local governments as currently provided by law.*
3. *The authority of the state jail inspector should be increased to authorize him to inspect all state as well as local penal facilities. The office of the state jail inspector should be separated from the State Division of Corrections and established as an independent office under the Secretary of the Department of Public Safety and Correctional Services.*
4. *State and local governments should endorse the community corrections concept, and support the establishment of community detention centers in place of traditional state and local correctional institutions. Once the need for a state or local community detention facility is recognized, the affected local government should select the location site according to established state and local guidelines after adequate public notice and public hearings. If, within a fixed time period, no site has been selected, the State should have the authority to intervene and select a site according to established guidelines after adequate public notice and public hearings. Funding for a community correctional center should be by the State. Funding of local community detention centers should follow the funding pattern already established in law for the construction of regional detention centers and the rehabilitation of jails, except both levels of governments should benefit equally from any available federal funds for the construction of facilities.*
5. *Local correctional personnel should be separate and distinct from law enforcement personnel. Law enforcement personnel should be relieved from all correctional responsibilities except the operation of twenty-four hour lock-ups.*
6. *Multi-county regional detention facilities should be established wherever practical.*
7. *Accused persons should be guaranteed the right to a speedy trial—the right to be brought to trial within a fixed number of days.*

II. Fire and Rescue Services Recommendations

1. *County and municipal governments should increase their policymaking, administrative, and financial roles with regard to Fire and Rescue Services. State government should maintain a limited role with regard to Fire and Rescue Services and concentrate its efforts in the areas of certain inspections and investigation activities, and establishment of standards for training, apparatus, equipment, and facilities.*
2. *In geographic areas where the fire and rescue companies do not provide the level of fire and rescue services that is desired, the respective counties and/or municipalities should become involved and insure the necessary services by providing financial assistance to volunteer fire and rescue companies, by providing fire and rescue services directly, or a combination thereof.*
3. *Minimum standards for apparatus, equipment, facilities, and training of personnel for all fire and rescue companies should be established by the Secretary of the Department of Public Safety and Correctional Services in cooperation with the Fire and Rescue Services Advisory Council. Minimum standards should take into account such factors as costs and population density. Newly formed fire and rescue organizations should have an appropriate time to attain such minimum standards during which time they could be operational.*
4. *All apparatus, equipment, and facilities, both privately and publicly owned, should be inspected annually. The State, in cooperation with the Maryland State Firemen's Association, should develop procedures for carrying out actual inspections.*
5. *In situations where fire and rescue companies are unable to meet established minimum standards for apparatus, equipment, or facilities because of financial hardships, the State should establish a policy regarding state assistance, to local governments or otherwise, to bring fire and rescue companies up to the minimum standards. If the State decides to issue bonds to cover needed capital costs only, it should determine how the financial assistance should be distributed, under what terms, and what party should have title to any property acquired as a result of such aid.*
6. *A Fire and Rescue Services Advisory Council should be established to assist the Secretary of the Department of Public Safety and Correctional Services and the existing Fire Prevention Commission (whose duties should be expanded and membership increased) develop minimum training standards for all fire and rescue personnel. This Fire and Rescue Advisory Council should assist the Secretary and the Fire Prevention Commission to coordinate all fire, rescue, and ambulance training and educational activities conducted at all training facilities and insure compliance with approved standards. Composition of the Advisory Council should include representatives from interested and related fire and rescue organizations at the state and local government levels and the general public. The Governor should appoint members to represent fire, rescue, and general public interests on*

this Council. The Advisory Council should be attached to the Department of Public Safety and Correctional Services.

7. *The State should assume full responsibility for marine based fire protection and provide these services to the Port of Baltimore, City of Annapolis, and other jurisdictions adjoining the Chesapeake Bay which need such services. Marine based fire protection should be modernized and expanded to meet current needs of such service throughout the Chesapeake Bay area.*

III. Police Protection Recommendations

1. *Police Protection should continue to be a joint responsibility of viable state, county, and municipal law enforcement agencies which are capable of providing adequate service.*
2. *Municipal police forces should be required to meet minimum police standards within a fixed time period or be required to disband and contract with other police forces for services.*
3. *To reduce unnecessary fragmentation, small municipalities should be encouraged to consolidate their police forces with contiguous municipal police forces or the county law enforcement agency. If additional police services are desired, the municipalities should contract for these services.*
4. *To avoid duplication and confusion, state and local police responsibilities throughout the State should be clearly delineated by local government representatives in conjunction with state police officials. Once state and local responsibilities are differentiated, local governments should be given the option to either retain local police to provide designated local police services or contract with other police agencies to fulfill local police responsibilities.*
5. *Legislation should be enacted to grant State Police the same authority to operate within incorporated municipalities as they have elsewhere in the State, and to enable county law enforcement agencies to operate within incorporated areas located in their respective counties.*
6. *A police advisory committee composed of state and local police representatives should be established to facilitate structured interagency communication on a continuing basis.*
7. *The Baltimore City Police Commissioner should continue to be appointed by the Governor of the State of Maryland.*

I. The Function of Correction[1]

According to the Commission's analysis, Correction is presently a joint, somewhat parallel function. That is to say both state and local governments are responsible for Correction, but each level has relatively independent control over its own correctional activities. Currently, local governments are responsible for pre-trial detention (detention until sentencing) and short term post-sentence detention. The state government assumes responsibility for confining prisoners serving sentences exceeding three months. While local governments have responsibility for persons with sentences of three months or less, they may also accept responsibility for persons serving sentences up to eighteen months.

Presently, the Maryland correctional system is plagued with serious problems that require concerted state and local governments effort to overcome. Soaring correctional costs, substandard and overcrowded detention facilities, insufficient educational and vocational rehabilitative programs, and inadequate inmate health care emphasize the continued need for correctional reform in Maryland. Operating costs in Correction for fiscal year 1975 are expected to reach $14,000,000 for the twenty-three counties and Baltimore City, and $6,517,200 for the State. The cost per inmate is as high as $9,000 per year in some state penal institutions.[2]

Unfortunately, high correctional costs do not guarantee an effective correctional program. Currently, twelve county jails are grossly substandard, but continue to operate. Other state and local jails are overcrowded, lack educational or vocational activities, or basic health care programs. All too often inmates are merely detained, and while there, they are educated by other inmates in various criminal activity. These same individuals are returned to society without being rehabilitated in any way.

An examination of the existing Maryland system and the myriad of problems associated with it, leads the Commission to focus on two primary concerns: (1) the need for redistribution of correctional responsibility, and (2) the need for intergovernmental and interdepartmental support of a genuine rehabilitative correctional system. After considering the present state-local division of correctional responsibility, the Commission recommends a more equitable joint state-local correctional arrangement and thus, a more satisfactory allocation of responsibilities.

The Commission recognizes that locating correctional responsibility within the appropriate levels of government is only a first step towards the establishment of an effective correctional system. Therefore, the Commission couples its first recommendation with a series of additional proposals aimed at improving the correctional system at the state and local governmental levels. These recommendations advocate joint government action in establishing genuine correctional programs. The following section discusses each proposal in detail.

Recommendations

1. *Local governments should continue to be responsible for pre-trial detention and detention until sentencing. The state government should assume all responsibility for post-sentence detention with the provision that the State may contract with local jurisdictions to detain and provide correctional and rehabilitative services for sentenced prisoners.*

In determining what the delineation of responsibility should be within the function of Correction, the Commission considered several alternatives before adopting the above recommendation. During its deliberations, the Commission considered the merits of: (a) a solely state correctional system; (b) a state correctional system with voluntary local supplementation; (c) continuation of existing state and local correctional responsibilities; and (d) redistribution of state and local responsibilities within the function of Correction.

First, the Commission considered the desirability and practicality of having the state government assume sole responsibility for Correction. While this proposal would relieve local governments of considerable expense and effort, especially Baltimore City which in 1975 appropriated $7,821,735 for Correction, it would place an additional financial burden on the State. The State would then have to assume responsibility for : (1) 2,459 additional inmates representing a 45 percent increase in the state inmate population;[1] (2) undertake a large capital investment to buy existing local jails or build new facilities to house the inmates; (3) take over existing local operating expenditures which in 1975 totaled $14,426,958.

It is highly questionable whether the quality of service would be enhanced by establishing a solely state correctional system. Currently, the state correctional system is better than some local correctional programs, but inferior to others. Montgomery County, for example, operates a correctional program which serves as a model in the State and in the Nation. Moreover, a solely state correctional system would eliminate local governments' obligation and responsibility to participate in the rehabilitation of offenders who originate from their jurisdictions and will probably return to these areas upon release.

A second proposal which was considered is a modified version of the first. It would authorize the State to assume all correctional responsibilities, with the provision that local governments could supplement services. The advantage of this proposal is that, theoretically, local governments would remain involved in Correction. In practice, however, it is estimated that only a very few local governments would be willing or financially able to supplement the state system.[2] Therefore, the

[1] For a detailed description of correctional activities at the state and local governmental levels, see the Informational Report included as Appendix C.

[2] Cost per inmate for FY-73 was determined by Commission staff from information found in the *Maryland State Budget for the Fiscal Year Ending June 30, 1975.*

[1] Based on figures found in the *Comprehensive Plan 1975.* Maryland Governor's Commission on Law Enforcement and the Administration of Justice, pp. 230 and 245.

[2] American Correctional Association, *Critique of Community Corrections Interim Report for the Community Corrections Task Force, Maryland Division of Corrections,* July 26, 1972, p.14.

role of local government in Correction would be minimal, leaving the State with total responsibility for Correction on a statewide basis.

The third proposal which was considered would maintain the present delineation of state and local responsibility in Correction. A serious objection to this proposal is that it would not provide any relief to local governments, nor would the proposal clarify the roles of state and local governments in terms of responsibility for Correction.

After considering the merits of each proposal, the Commission recommends that the existing allocation of state and local government correctional responsibility be modified. The Commission proposed that local governments should continue to be responsible for pre-trial detention and detention until sentencing. The State government should assume all responsibility for post-sentence detention, with the provision that the state may contract with local jurisdictions to detain and provide correctional and rehabilitative services, for sentenced prisoners.

This recommendation would accomplish several objectives. First and foremost, Correction would remain a joint state-local function with state and local governments involved. Local government would not be allowed to abdicate all responsibility for its offenders, but would continue to be responsible for pre-sentence detention. Local governments would continue to maintain local detention facilities and employ personnel to supervise those persons awaiting trial.

At the same time, this recommendation would provide some relief to local governments by authorizing the State to assume total responsibility for post-sentence detention, except where local governments are contracted by the State to provide this service. Local governments would no longer be required to detain prisoners with sentences of three months or less, but could immediately transfer all such sentenced prisoners to the state correctional system. By doing this, local governments which feel overburdened by existing local correctional responsibilities could reduce their jail population by eighteen percent.[1] On the other hand, those local jurisdictions that elect to continue post-trial programs could negotiate with the State to provide this service. In this way, the level of local involvement in Correction would partially be determined by each jurisdiction's ability and willingness to participate.

While this redistribution of responsibility would offer relief to local governments, it would not add too great a cost to the State. According to jail population figures, the State would only assume responsibility for an additional 459 inmates, the number of sentenced prisoners currently detained in local facilities.[2] These prisoners could either be transferred to state facilities or detained in local facilities on a contractual basis.

In summary, this proposed recommendation would: (1) maintain state and local government involvement in Correction; (2) condition the level of local correctional responsibility on each jurisdiction's ability and willingness to participate; and (3) avoid placing an undue administrative or financial burden on the State.

Redistributing correctional responsibility is one step in improving the correctional system. The following additional recommendations also need to be implemented if there is to be a significant positive impact on this government function.

2. *Minimum program and facility standards should be developed and strictly enforced in all state and local jails. If local jails fail to meet established standards, the State should have the authority to intervene and make improvements. The costs of such improvements should be shared by the state and local governments as currently provided by law.*

To guarantee a minimum level of service and treatment in correctional institutions, existing jail standards must be broadened and vigorously enforced. Current jail standards have three major deficiencies which the above recommendation is intended to correct. First, the existing standards fail to include minimum program standards. Although adequate building facilities are important, a jail is merely a warehouse unless rehabilitative programs are provided. According to a recent survey, two local jails provide no programs while two others offer only one program (a work release program in one, and religious services in the second). Other state and local jails have additional programs, but these are admittedly inadequate and not therapeutic. The Commission recognizes a need for programs, and recommends that minimum program standards be included in the list of jail standards.

Second, existing jail standards now apply only to local jails and not to state operated institutions. All penal institutions should be required to meet minimum standards, whether they are operated by state or local governments.

Third, existing jail standards are not vigorously enforced. The jail inspector does not possess an effective means for insuring that improvements are made to bring jails up to standards. Currently, the jail inspector may recommend the closing of substandard local jails, but in most cases this action is counterproductive. The closing of a jail does not guarantee jail improvements. It does, however, result in the displacement of prisoners from their local community, the overcrowding of other facilities, and, as in the case of Carroll County, the abdication of local correctional responsibility.

According to the state jail inspector, there are twelve substandard county jails. There is a definite need for rigid enforcement of standards. The Commission recommends that the State take positive and prompt steps to upgrade substandard jails if the local government fails to do so. Merely recommending that substandard county jails be closed is not enough. The jail inspector should be able to initiate improvements. Local and state governments should share equally the expense of upgrading the jails as is currently provided by law, and this law should be enforced.

3. *The authority of the state jail inspector should be increased to authorize him to inspect all state as well as local penal*

[1] Calculated from figures found in the *Comprehensive Plan, 1975,* Maryland's Governor's Commission on Law Enforcement and the Administration of Justice, p. 230.

[2] Ibid.

facilities. The office of the state jail inspector should be separated from the State Division of Corrections and established as an independent office under the Secretary of the Department of Public Safety and Correctional Services.

If jail standards are to be vigorously enforced, it is essential that the state jail inspector have sufficient authority and independence to act. Currently, the state jail inspector is only authorized to inspect local detention facilities. State penal institutions are exempt from periodic inspection by any independent individual or group. Therefore, to insure that all correctional facilities meet established minimum jail standards, the state jail inspector should be empowered to inspect all state as well as local penal facilities.

To enable the state jail inspector to objectively evaluate state correctional institutions, it is imperative that the inspector be separated from the Division of Correction which operates the state penal system. As an autonomous office under the Secretary of Public Safety and Correctional Services, the independence of the state jail inspector would be preserved.

4. *State and local governments should endorse the community corrections concept, and support the establishment of community detention centers in place of traditional state and local correctional institutions. Once the need for a state or local community detention facility is recognized, the affected local government should select the location site according to established state and local guidelines after adequate public notice and public hearings. If, within a fixed time period, no site has been selected, the State should have the authority to intervene and select a site according to established guidelines after adequate public notice and public hearings. Funding for a community correctional center should be by the State. Funding of local community detention centers should follow the funding pattern already established in law for the construction of regional detention centers and the rehabilitation of jails, except both levels of governments should benefit equally from any available federal funds for the construction of facilities.*

Increased crime, recitivism, and short term sentences have led to a re-evaluation of the traditional correction system, and a search for more effective rehabilitative methods. With over half the sentenced jail population in Maryland serving two year terms or less, the correctional system must be designed to rehabilitate, not merely detain, offenders. Isolating inmates within large prisons with few correctional programs is wholly inadequate, particularly when the offender frequently re-enters the community within a period of months. For the benefit of the individual offender, as well as the community, the emphasis must be on discovering an individual's basic needs and doing something to fulfill those needs before he returns to the community.

One approach to Correction which has received widespread consideration is the community corrections concept which calls for a community-based correctional system. According to this approach, minimum security prisoners should not be totally separated from society, but should be placed in small correctional facilities within the community. The benefits of retaining the offender within the context of the community are numerous: (1) the process of reintegrating the offender back into the community is gradual and less traumatic; (2) the community concept is a more humane approach to Correction; (3) there is a greater potential for community resources to be utilized for Correction, thus wasteful program duplication is avoided; (4) operating costs are reduced since security is minimal and selected inmates participating in a work release program generally pay room and board; (5) the community participates in the rehabilitation of the offender coming from its jurisdiction; (6) the federal government endorses the community correctional concept and offers federal funds for the construction of community correctional facilities.

There are numerous advantages of the community correction concept. This Commission joins previous commissions in advocating the adoption of a community-based correctional system in Maryland. Acknowledging the work which has been undertaken to implement the community correction concept, this Commission recommends that all state and local governments lend their support to the establishment of community correction facilities. Local government and public support is essential to the success of the community correctional program. Government should seek to educate the public of the merits of such a correctional program.

There is an immediate need for community correctional centers. There should be no unnecessary delay and obstructions to the development of these units. The Commission recommends that once a decision is made to establish a community correction facility, local governments should be authorized to select the site for both a state and local government owned and operated facility within a designated time frame and according to established guidelines. In circumstances, when the local government fails to choose a site within a reasonable time, the State shall be empowered to intervene and select a site in accordance with established procedures.[1] In this way, the implementation of the community correction concept is facilitated and local government participation is insured.

Finally, it should be emphasized that a community correctional center is equally beneficial to persons awaiting trial or serving short term sentences, and should not be reserved only for individuals serving the last few months of a longer sentence. Since all three types of detainees may be released within a short period of time, it is essential that a correctional program be developed to facilitate their reintegration back into society. Community correctional centers are designed to ease the inmate's readjustment to the community by providing necessary educational and vocational rehabilitative programs within the community. This approach may also be used to ease individuals into a confined state without producing effects upon those

[1] The procedure should include adequate public notice and the holding of public hearings. However, authority should be provided for site selection that is similar to that available to agencies such as the Department of Juvenile Services in establishing juvenile homes.

individuals which may be harmful to both the individuals and their communities over a longer period of time. The Commission recommends that state and local governments consider and utilize the community corrections concept as an alternative to traditional jails.

To avoid unnecessary construction and expense, jurisdictions which are responsible for pre-sentence and post-sentence programs should establish community detention centers which are designed to accommodate both types of inmates.

5. *Local correctional personnel should be separate and distinct from law enforcement personnel. Law enforcement personnel should be relieved from all correctional responsibilities except the operation of twenty-four hour lock-ups.*

Although law enforcement and correction are both aspects of the public safety function, the objectives of each are quite different. The primary goal of Correction is the successful rehabilitation of violators of the law. The primary objective of law enforcement is the preservation of the general public from offenders and the protection of law and order. Because law enforcement officer and the correctional officer have different orientations and underlying philosophies, a merger of the two roles is not advisable.

The roles of the arresting and rehabilitative officers are incompatible and should be kept separate. The Commission recommends that all law enforcement officials be relieved of all correctional responsibilities.

6. *Multi-county regional detention facilities should be established wherever practical.*

With the need for qualified professional correctional officers, varied rehabilitative programs and adequate physical facilities, it is becoming impractical and unnecessary for every county to maintain its own correctional facility. If contiguous counties with relatively small prison populations would enter into an agreement to establish joint correctional facilities, monetary savings could be realized.

Most local jails are old and in need of major renovation which could only be accomplished at substantial costs. By moving toward a regional detention center, construction costs of a new facility would be shared by both the state and local governments involved. Construction costs as well as operating costs for the local jurisdictions involved could be prorated according to the present and projected inmate population from each county or other factors determined by the participating jurisdictions. In many instances counties could make substantial savings by such joint ventures.

In Maryland there are currently eight county jails with an average daily prison population of 15 persons or less.[1] Seven of these county jails are, according to the Governor's Commission on Law Enforcement and the Administration of Justice, substandard and should be closed. As an alternative to constructing new facilities in each county, the Commission recommends that neighboring counties combine to build regional jails. Through such cooperative arrangements, the correctional program in a number of local governments could be substantially improved.

7. *Accused persons should be guaranteed the right to a speedy trial—the right to be brought to trial within a fixed number of days.*

Under the Sixth Amendment of the *U. S. Constitution,* a person accused of committing a crime is entitled to a speedy trial. There was a time when this meant a lapse of thirty to sixty days between arrest and trial.

Today, the average period of time to elapse between arrest and trial in Maryland may vary from 5.6 months for jury trial to 4.8 months for non-jury trials.[1] These figures are only averages. Many defendants are kept in jail for much longer periods of time awaiting trial.

Some Judicial Circuits in the State are more successful than others in disposing of cases within a reasonable time after arrests. In Baltimore City and in some counties, there is a backlog of criminal cases. Many judges are now devoting all of their time to trying only criminal cases in an effort to end this backlog and avoid conflict with the Sixth Amendment of the U.S. Constitution and the rights of the accused.

If Maryland is successful in cutting down the time lag between arrest and trial in criminal cases, it will free judges for other judicial services, avoid some of the overcrowding in our pre-trial detention institutions and perhaps, even result in a form of crime deterrence.

The federal "Speedy Trial Act of 1974" establishes a plan for trying criminal cases in the Federal Courts within a specific number of days from arrest. The plan is phased over a period of five years so that a goal will ultimately be reached providing for a 60 day limit on the period between arrest and commencement of trial. There are exclusions which protect time consumed in pre-trial motions, medical examinations, other proceedings and contingencies that arise in the course of criminal prosecutions.

Article 27, Section 591 of the Maryland Code provides that within two weeks after the arraignment of a person accused of a crime or the filing of an appearance of counsel, a judge shall set a date for the trial of a case which shall be not later than six months afterwards. It also provides that the date fixed for trial shall not be postponed except for extraordinary cause and then only with the permission of the administrative judge of the court where the case is pending. Both the Court of Special Appeals and the Court of Appeals have held that this law is directory and not mandatory. Hence, if the statute is not followed, it does not mean that the case will be dismissed. The courts have also held that the failure to comply with the statute is only one of the factors to be considered in determining whether the defendant has been denied his right to a speedy

[1] *Comprehensive Plan, 1975,* Governor's Commission on Law Enforcement and the Administration of Justice, p. 229.

[1] Figures derived from data presented in the *Comprehensive Plan, 1975,* of the Governor's Commission on Law Enforcement and Administration of Justice.

trial. Clearly, additional measures are necessary to reduce the time period before trial.

The Commission recommends that (1) the Legislative Council, with the cooperation of the Maryland State Bar Association and local Bar Associations and all States' Attorneys and the Public Defenders' Offices, prepare legislation, the effect of which will be to set effective time limits on time elapsed between arrest and trial, while preserving all rights of all parties; (2) the Court of Appeals adopt such rules as are within its power to accomplish these same purposes on a statewide basis; and (3) in the absence of statewide rules, the trial judges of our Circuit Courts and the Supreme Bench of Baltimore City adopt rules providing for speedy criminal trials in keeping with full protection of all the defendants' rights as well as protection of the citizens of this State.

II. The Fire and Rescue Services Function[1]

Fire and Rescue Services are considered to be public functions of government that are performed on a parallel basis by state and local governments, and private non-profit volunteer fire and rescue companies. State government's responsibilities are directed toward fire prevention, fire control, investigations, training, and certain inspection activities. The role of local government and the private non-profit volunteer fire and rescue company centers on suppression and prevention of fires, investigative activities, specialized training, and rescue service operations.

In eighteen of the twenty-three counties, Fire and Rescue Services are provided primarily by volunteer companies. The five remaining counties have gradually moved to fire and rescue companies in which paid fire fighters are combined with volunteer fire fighters. Baltimore City, along with a few other municipal incorporations have established all paid fire and rescue companies.

Over the years, private non-profit volunteer fire and rescue companies have and continue to relieve governments of their responsibilities to protect the lives and property of their citizens. These same volunteer fire and rescue companies not only save the citizens of this State millions of dollars that would have to be generated through taxes, but serve the people well. Changes, not only in the economic system but in the extent and type of residential, commercial, and industrial development as well as life styles have placed enormous pressures upon all fire and rescue related activities. A point in time has been reached when it becomes mandatory for certain help to be offered and certain changes made in order to insure that the citizens throughout the State continue to receive the type of fire and rescue services they desire.

The following recommendations are aimed at accomplishing this objective.

[1] For a detailed description of the existing situation in the function of Fire and Rescue Services, see the Informational Report on Fire and Rescue Services included as Appendix D.

Recommendations

1. *County and municipal governments should increase their policymaking, administrative, and financial roles with regard to Fire and Rescue Services. State government should maintain a limited role with regard to Fire and Rescue Services and concentrate its efforts in the areas of certain inspection and investigative activities, and establishment of standards for training, apparatus, equipment, and facilities.*

Today, fire protection is a many faceted activity that has been forced into diversification by our modern society. There is a growing realization that to cover adequately all possible fire and rescue situations specific roles and responsibilities of all agencies, whether public or private, should be clearly established. While it may be advantageous, in some cases, for individual communities or local governments to set up fire and rescue units, there is no apparent advantage for each fire and rescue company to become involved in very specialized inspection or investigative activities that are seldom needed. Specific roles by all parties involved do much to facilitate cooperation and coordination of programs designed to protect the citizens.

The State has and should continue to be involved in activities that not only fill gaps in the area of fire protection, but guide fire and rescue programs throughout the State. This role of the State is limited, and because of the very nature of fire protection which is usually confined to small geographic areas, should so remain.

The Commission is cognizant of the fact that over the years and continuing in the present, private non-profit volunteer fire and rescue companies have provided the major portion of protection in the counties and municipal corporations. Recognizing the enormous contributions that these volunteer fire and rescue organizations have made both to the individual citizen and the local governmental units, the Commission in no way wants to inhibit this type of public service.

Nevertheless, with varying growth and development occurring throughout the State, the pressure on all fire and rescue companies to maintain and have available all types of equipment and adequate manpower has been severe. Volunteer fire and rescue companies should not have to experience these types of pressure without some form of assistance so as to insure continued fire and rescue services at a reasonable level. The Commission believes that this condition can be relieved by the county and municipal governments increasing their policymaking, administration, and financial roles with regard to Fire and Rescue Services.

2. *In geographic areas where the fire and rescue companies do not provide the level of fire and rescue services that are desired, the respective counties and/or municipalities should become involved and insure the necessary services by providing financial assistance to volunteer fire and rescue companies, by providing fire and rescue services directly, or a combination thereof.*

Fire and rescue services are vital activities that have received relatively limited governmental input and support over the years. Fire and Rescue Services are necessary, and they are becoming extremely expensive and sophisticated activities. The result of all this has been an increase in the number of substandard fire and rescue companies. The type of equipment available and the degree of training of fire and rescue personnel varies not only between jurisdictions but between fire companies.

It can be argued that a substandard fire and rescue company is better than no company at all. But the basic point is that the citizen is entitled to adequate protection regardless of whether the service is provided by a non-profit fire and rescue company or one owned and operated by a specific governmental unit. It is the responsibility of county or municipal governments to insure that their citizens are afforded adequate protection.

3. *Minimum standards for apparatus, equipment, facilities, and training of personnel for all fire and rescue companies should be established by the Secretary of the Department of Public Safety and Correctional Services in cooperation with the Fire and Rescue Services Advisory Council.*[1] *Minimum standards should take into account such factors as costs and population density. Newly formed fire and rescue organizations should have an appropriate time to attain such minimum standards during which time they could be operational.*

Establishment of some basis upon which a level of service or the performance of an activity can be determined in generally a well accepted concept. While agreement in principle on minimum standards is widespread, development and application of the standards are difficult.

Two facets of the recommendation should help to expedite the process and to insure general acceptance of any minimum standards. First, minimum standards would be statewide and linked to apparatus, equipment, facilities, and training of personnel for all fire and rescue companies. Apparatus standards are directed toward the type of vehicles and construction of the vehicles used in fire and rescue operations. Consideration must also be given to permanently attached items to the vehicles because their absences may affect the quality of the different vehicles used. Equipment standards refer to the type, quantity, and quality of necessary tools found on the apparatus and within a particular station house. Facility standards concern the buildings and related structures that house fire and rescue apparatus and personnel.

Population increases, growth patterns, and normal congestion in high density areas require specialized equipment and well trained personnel to meet these new demands placed on fire and rescue companies. There is general agreement that fire protection and rescue services are activities that must be taken seriously regardless of the location within the State. Training is a continuous activity throughout the State, but training standards vary from place to place. The Commission believes that Fire and Rescue Services can be bolstered by setting minimum training standards for all fire and rescue personnel in the State.

Second, it is recognized that input from various groups involved with and affected by fire and rescue activities is a desirable and necessary ingredient in the development of minimum standards. The Fire and Rescue Advisory Council, which is to be comprised of representatives from interested organizations and the general public, should provide a medium through which the views, comments, and suggestions of these interested parties can be channeled. It will be the responsibility of the Advisory Council to make certain that a factor such as need based upon density or other important variables are to be integrated into the minimum standards. For example, most rural areas would have little, if any use, for a hook and ladder apparatus. Where one fire vehicle would be adequate to cover some rural areas, urban areas would need more vehicles and of different types. Consideration of these differences by knowledgeable individuals will do much to insure adequate minimum standards throughout the State.

While minimum standards are desirable from most points of view, steps must be taken to insure that the establishment of minimum standards for fire and rescue services will not have an adverse affect upon the present services being provided. Immediate compliance with new standards by all parties concerned is a desirable goal, but one that may be difficult to achieve. However, a program for compliance should be part of any process involving minimum standards. Well established fire and rescue companies should have few problems in meeting any new standards within a limited period of time although caution should be exercised when difficulties do arise.

Newly formed private non-profit fire and rescue companies may experience difficulty with meeting required minimum standards. Appropriate time schedules should be established during which time these substandard fire and rescue companies would attain such minimum standards. While working toward the compliance stage, the newly formed fire and rescue companies should be operational.

4. *All apparatus, equipment, and facilities, both privately and publicly owned, should be inspected annually. The State, in cooperation with the Maryland State Firemen's Association, should develop procedures for carrying out actual inspections.*

A logical extension to the development of minimum standards for apparatus, equipment, and facilities is to encourage and to achieve compliance through a process of inspection. While an inspection program is an obvious sequel to the development of standards, the vehicle for carrying out this program is somewhat obscure. A fundamental reason for the nebulous situation is the various fire and rescue services arrangements that exist throughout the State.

There are approximately 386 fire and rescue stations in Maryland belonging to 338 departments. These numbers do not include fully paid fire departments. In addition to fully paid

[1] See Recommendation No. 6 for information concerning the Fire and Rescue Services Advisory Council.

fire departments, there are all volunteer fire departments as well as partly paid and partly volunteer companies. The inspection process should be such that various situations existing throughout the State can be handled in a manner that is acceptable to all parties involved.

Standard setting at the state level is necessary to have some reasonable guarantee that a specific level of service is possible statewide. But the extent of the task coupled with the potential cost of such an inspection program to the State would indicate that alternative procedures should be developed. Therefore, the Commission recommends that the State, through the Department of Public Safety and Correctional Services, in cooperation with the Maryland State Firemen's Association develop procedures for carrying out inspections.

In some cases, standards committees of local fire and rescue associations could provide a vehicle for the inspection activity. Where fully paid, or partly paid and partly volunteer fire and rescue companies operate, other procedures could be developed with the State playing a major role in this area if agreement on the specific procedures cannot be reached.

In considering the recommendation with regard to inspection, the Commission is aware of the problems of allowing an operating agency inspect itself. While this situation will prevail in some instances, different organizational arrangements that exist for fire protection may require inspections to be performed by state or county agencies which are not directly related to fire and rescue services.

5. *In situations where fire and rescue companies are unable to meet established minimum standards for apparatus, equipment, or facilities because of financial hardships, the State should establish a policy regarding state assistance, to local government or otherwise, to bring fire and rescue companies up to the minimum standards. If the State decides to issue bonds to cover needed capital costs only, it should determine how the financial assistance should be distributed, under what terms, and what party should have title to any property acquired as a result of such aid.*

Failure to meet any standards is usually directed to the lack of funds available to make the necessary improvements. Fire and rescue companies that are not fully maintained and supported by a specific governmental unit through tax dollars have, in the past, depended upon money raising events and donations from local people to build the needed facilities, purchase the required apparatus and equipment, and operate and maintain the company. High costs of construction and equipment have made it extremely difficult, if not impossible to add new equipment over specific time periods and maintain facilities by utilizing the same funding techniques that have been used in the past. Funds raised do not cover all expenditures.

Volunteer fire and rescue companies are private non-profit corporate structures that perform a public service for both state and local governments. It can also be argued that this public service offered by the private fire and rescue companies is a part of local government's responsibility under the express powers and general welfare clauses found in Articles 23A, 25, and 25A of the *Annotated Code of Maryland.*

The standard setting process will be a coordinated effort of many persons and organizations with the State ultimately responsible for these standards. It is in the interest of every person in the State of Maryland to have adequate fire and rescue services available at all times. By establishing a procedure through which funds for capital expenditures could be generated, the State could assist fire and rescue companies meet and comply with all minimum standards. Meeting minimum standards is one way to insure that adequate fire and rescue services are available.

6. *A Fire and Rescue Services Advisory Council should be established to assist the Secretary of the Department of Public Safety and Correctional Services and the existing Fire Prevention Commission, (whose duties should be expanded and membership increased) develop minimum training standards for all fire and rescue personnel. This Fire and Rescue Advisory Council should assist the Secretary and the Fire Prevention Commission to coordinate all fire, rescue, and ambulance training and educational activities conducted at all training facilities and insure compliance with approved standards. Composition of the Advisory Council should include representatives from interested and related fire and rescue organizations at the state and local governmental levels and the general public. The Governor should appoint the members to represent fire, rescue, and general citizen interests on this Council. The Advisory Council should be attached to the Department of Public Safety and Correctional Services.*

No organization, regardless of its facilities, equipment, or financial support can be effective or successful without interested, well trained, capable people. Individuals, and the standard of training they receive, are crucial aspects to fire and rescue operations.

Formal training for all fire and rescue personnel is generally provided throughout the State, but in varying degrees. There were times when apparatus, equipment, procedures, and fire and rescue situations were simple. Growth and development coupled with increased population and congestion in urban and suburban areas have placed increased demands upon those persons providing fire and rescue services. Importance of training of all fire and rescue personnel continues to be emphasized.

While being aware of the need for training and the continued attempts to bring about improvements in this area, the Commission is concerned that the type and level of training varies throughout the State. To correct this situation, the Commission recommends that the Secretary of the Department of Public Safety and Correctional Services through the Fire Prevention Commission and in cooperation with the Fire and Rescue Advisory Council develop minimum uniform training standards for all fire and rescue personnel.

Rather than establish another commission to deal with the problems of personnel training, the Commission believes that coordination of this activity will be enhanced by expanding the duties and membership of the present Fire Prevention Commission to deal with training. New members could be appointed on the basis of experience and knowledge of a variety of fire and rescue activities which would enable the Fire Prevention Commission to handle additional duties. In addition, the Fire and Rescue Advisory Council would also work in cooperation with the Secretary and the Fire Prevention Commission to develop minimum training standards. This combined approach should provide the opportunity for input from all interested parties.

7. *The State should assume full responsibility for marine based fire protection and rescue services and provide these services to the Port of Baltimore, City of Annapolis, and other jurisdictions adjoining the Chesapeake Bay which need such services. Marine based fire protection should be modernized and expanded to meet current needs of such service throughout the Chesapeake Bay area.*

Marine based fire protection rescue services are available in Maryland on a limited basis. The Chesapeake Bay borders on many jurisdictions, and there are a large number of industrial and commercial activities, including marinas, on the eastern and western shores of the Bay.

The major fireboat protection available is that of the City of Baltimore, and this marine fire protection is currently provided at only one-half the level of five years ago.[1] The City owns four fireboats, but it is only able to keep two of the crafts fully operational.

The fiscal 1976 budget presented to the Baltimore City Council provides for the operation of two fireboats at a total cost of $625,000 per boat or $1,250,000 for both. This funding allows round-the-clock operations including normal maintenance and repairs.

The Fire Department of Baltimore City estimates that in fiscal year 1976 these fireboats will be utilized in fighting 225 fires. They respond when called into action whenever needed, to protect the tax exempt facilities of the Maryland Port Administration, foreign and domestic ships in port, related warehouse, terminal, and port facilities. These fireboats have been utilized to fight fires in Baltimore and Anne Arundel Counties and other places on the Bay.

The two fireboats presently in use do not appear to be adequate in the event of a conflagration of major magnitude that must be fought from the water. According to a recently published study prepared by the University of Maryland entitled *The Economic Impact of the Port of Baltimore on the Maryland Economy, 1973,* the port is the most important economic component of the State. Its total impact is over $2.5 billion dollars a year. Baltimore City, Baltimore County, and other local subdivisions share in this economic impact. It is the ultimate source of nearly 170,000 jobs throughout the State.

[1] Marine based fire protection and rescue services are provided to other jurisdictions bordering the Chesapeake Bay by local fire and rescue companies. This is very limited service and confined, in most cases, to rescue operations.

The State Police patrol the State's highways. The State's Department of Natural Resources Marine Police patrol the State's waterways, except the Baltimore harbor, which the City police patrol. All of the water borne fire services are provided by Baltimore City. Therefore, the Commission recommends that the State assume full responsibility for marine based fire protection and rescue services and provide this service throughout the Chesapeake Bay areas. Marine based fire protection should be modernized and expanded to meet current needs of such service throughout the Chesapeake Bay area.

III. Function of Police Protection

Police Protection is currently considered a joint parallel function with the state and local governments responsible for relatively independent police operations. At the state level, the Maryland Police Training Commission and the Maryland State Police are located within the Department of Public Safety and Correctional Services.

The Maryland Police Training Commission is authorized to develop guidelines for state and local police training academies. This Commission prescribes the training curriculum, eligibility and attendance requirements, equipment and facility standards, and minimum qualifications for instructor certification for police academies throughout the State.

The Maryland State Police have statewide jurisdiction except in Baltimore City and other incorporated municipalities. The State Police are responsible for: safeguarding the lives and property of all persons within the State; securing for all persons the equal protection of the law; enforcing motor vehicle and criminal laws and ordinances of the state and local subdivisions; preserving the public peace, detecting and preventing crimes; and cooperating with other law enforcement agencies in carrying out their duties.

At the local governmental level five urban counties have established police forces which enforce criminal and motor vehicle laws within their respective boundaries, but generally do not operate within incorporated areas. The elected sheriff provides varying degrees of police service in the remaining counties. These local forces operate in conjunction with the State Police.

At the present time, there are approximately 85 municipal police departments of varying size and capability scattered throughout the State. These police forces ordinarily provide the sole police coverage within the boundaries of their municipal corporations.

In addition, there is a growing number of private police forces in the State that are contracted to protect private roads, shopping centers and communities. As crime continues to increase, Maryland can anticipate a proliferation of these special private police which offer limited additional police services.

[1] For a detailed description of police activities at the state and local governmental levels, see the Informational Report on Police Protection included as Appendix E.

After examining the present situation regarding Police Protection, the Commission agrees with the findings of the Commission on Law Enforcement and the Administration of Justice that the police service in Maryland has become excessively fragmented. For example, there are as many as 22 different police forces operating within one county. Throughout the State, the average number of police forces within each county is approximately six.

Other problems emanate from the sheer number of police forces which currently operate in Maryland. Excessive police fragmentation results in police duplication, interagency competition, inherent problems of interagency communications and coordination, and unnecessary expense. There is concern that the situation in Maryland is further complicated by the absence of a clear delineation of state, county, and municipal police responsibility with regard to the function of Police Protection.

In view of these problems, the Commission makes the following recommendations.

Recommendations

1. *Police Protection should continue to be the joint responsibility of viable state, county, and municipal law enforcement agencies which are capable of providing adequate service.*

The Commission is concerned about police fragmentation and the related problems just enumerated. After examining the Police Protection function in Maryland, the Commission recognizes that state, county, and municipal police forces perform vital police services, and each assumes the dominant police role in different sections of the state. The Commission recommends that Police Protection continue to be the shared responsibility of viable state, county, and municipal law enforcement agencies that are adequately manned and equipped to provide required services.

The Commission discussed the alternative of simplifying the Police Protection function by establishing a two-level state-county police system throughout the State. Although this system would reduce existing police fragmentation, it would have serious negative repercussions in several areas of Maryland where municipal police forces currently provide essential police services.

Presently, there are nine counties with municipal police forces larger than the county sheriff's forces. Several of these municipal police forces are also more sophisticated and better equipped and trained than the county unit. Hagerstown, for example, in 1973 maintained a municipal police force four times larger and costing ten times more than the Washington County Sheriff's Office. To eliminate municipal police forces throughout the State would leave several local jurisdictions inadequately protected against crime.

Realizing the undesirable consequences of establishing a two-level state-county police system in Maryland in the foreseeable future, the Commission proposes a less drastic method of reducing excessive police fragmentation, duplications, poor coordination. The following recommendations are designed to achieve these objectives.

2. *Municipal police forces should be required to meet minimum police standards within a fixed time period or be required to disband and contract with other police forces for services.*

A first step in reducing police fragmentation is to restrict police activity to those police forces which are adequately staffed, trained, funded, and equipped. While the Commission recognizes the present need for large, capable municipal police forces to supplement limited county police service, it considers the widespread proliferation of small police forces wholly inadequate, uneconomical, and unnecessary.

To curtail the spread of small, token municipal police forces, the Commission joins the Governor's Commission on Law Enforcement and Administration of Justice (LEAJ) in recommending that municipal police forces be required to meet established minimum police standards. Although police standards can not insure that police forces will actually provide adequate police protection, they can guarantee that police forces will have the minimal manpowers, training, and equipment considered necessary to perform ordinary police duties.

The Commission supports the establishment of minimum police standards for municipal police forces.[1] However, in order to avoid unnecessary disruption and allow for a smooth transition, the Commission recommends that mandatory minimum standards be phased in. Recommended minimum standards for municipal police forces should become compulsory according to a specific time schedule.

In attempting to enforce the recommended standards, the Commission endorses the efforts of the Governor's Commission on Law Enforcement and Administration of Justice to make special police funding conditional on meeting police standards. Currently, LEAJ withholds its police funds from substandard police forces, and suggests that State Aid for Police Protection Funds be similarly withheld. Previously, special state police grants have been distributed to municipal police forces of various sizes which has served to perpetuate limited municipal police operations.

The Commission also endorses LEAJ's recent grant program which offers special funds to enable localities to contract with existing police departments for services in lieu of establishing new municipal police forces. According to the 1975 Comprehensive Plan produced by the Commission on Law Enforcement and the Administration of Justice, this program has contributed to a slight reduction in the number of small substandard forces.

[1] Although the Commission supports the concept of minimum standards for municipal police forces, it does not agree with all the police standards which were recommended in 1973 by the Police Standards' Committee to the Governor's Commission on Law Enforcement and the Administration of Justice. For example, the staffing standards would require a ten man police force. Some members of the Commission feel that this standard should be reduced to a twenty-four hour, seven days a week police coverage requirement.

Although progress has been made in reducing substandard municipal police forces, numerous such police forces continue to exist. A 1973 survey of 83 local police forces indicates that 72 municipal police forces (88%) failed to meet all recommended standards. Forty-three municipal departments (53%) failed to meet the standards which LEAJ requires to receive funds.[1] Although 43 police forces were judged substandard, these forces represented only a small proportion of the total local police manpower. Enforcement of the minimum police standards would primarily affect the small substandard municipal police forces.

To significantly reduce unnecessary police fragmentation, the Commission recommends that municipal police forces be required to meet minimum police standards within a fixed time period or be forced to disband and contract for necessary police services. State police funding programs may provide additional incentive to local governments to disband substandard police forces, and contract with other police forces for services, but with or without special funding substandard municipal police forces must attempt to meet standards or disband.

3. *To reduce unnecessary fragmentation, small municipalities should be encouraged to consolidate their police forces with contiguous municipal police forces or the county law enforcement agency. If additional police services are desired, the municipality should contract for these services.*

In a further effort to reduce the number of police forces in Maryland, the Commission recommends that small municipalities should be encouraged to consolidate their police forces with contiguous municipal police forces, or contract with the county law enforcement agency for special or additional services. By doing so, the desired level of services would be maintained, while overhead costs would be reduced. A larger police operation would probably even provide an increased police capability to the residents of the participating municipalities.

4. *To avoid duplication and confusion, state and local police responsibilities throughout the State should be clearly delineated by local government representatives in conjunction with state police officials. Once state and local responsibilities are differentiated, local governments should be given the option to either retain local police to provide designated local police services or contract with other police agencies to fulfill local police responsibilities.*

With police protection remaining a joint state, county, and municipal government function, it is essential that police responsibilities be clearly delineated to avoid jurisdictional confusion. There are also the problems of coordinating and financing these activities that have to be taken into consideration.

Currently, there is no uniform statewide roles for state, county, or municipal law enforcement agencies. Within the five urban counties, the county police force performs 90% of the total investigative police work, while the State Police serves primarily as a traffic patrol and special unit. In contrast to this, in nine rural counties in Maryland, the State Police conduct virtually all the police services outside of municipalities having police forces. Within the remaining nine counties, the sheriff's office and the State Police offer similar services.[1]

Although police roles are not precisely defined, general areas of responsibility are assumed by state, county, and municipal police. These roles and responsibilities of the various law enforcement agencies develop on an ad hoc basis according to the perceived needs of each jurisdiction, and the capabilities of the law enforcement agencies operating within the area. Several shortcomings have grown out of this practice. These weaknesses are as follows: (1) police roles may be adopted without adequate consultation with affected governments and other operating police forces; (2) problems of inequitable funding emerges; (3) jurisdictional confusion arises; and (4) interagency police coordination is more difficult.

Because there is an absence of a clear delineation of police responsibility, the roles of state and county law enforcement agencies in several sections of the State are confused. Jurisdictional confusion, duplication, and inadequate interagency police coordination are especially serious problems in the nine counties where the sheriff and the State Police offer similar services. In these areas, police services are generally provided by the police force which initially receives the call for help, or arrives at the scene first. Since both police forces are providing similar services, unnecessary duplication and interagency competition may occur. In the rural and urban counties where one police agency clearly dominates, problems of duplication and overlap occur but to a lesser extent.

Inequities in funding may arise as a result of the present division of police responsibilities. State Police activities are funded through revenue generated from taxes paid by all citizens of the State. While it is possible to point to activities carried out by the State Police throughout the State, this same organization is called upon to perform numerous other services in some sections of the State but not in others. When these additional services are provided, the State Police is not reimbursed by the recipient governments for these services. The beneficiaries of these extra services pay no additional charge. If responsibilities were clearly defined, proper charges could be made for the police services. This clarification of roles would do much to insure similar services to all citizens at a fair price.

To remedy these deficiencies and inequities, the Commission recommends that state and local police roles be clearly defined. Since the matter of police responsibility is an intergovernmental concern, it is necessary and proper that state and local government officials participate in the official enumeration of state, county, and municipal police responsibilities. To assist this broad based group in its work, the study entitled, *A Study of*

[1] *Comprehensive Plan, 1975,* Maryland Governor's Commission on Law Enforcement and the Administration of Justice.

[1] Findings of "A Study of Police Service in the State of Maryland and the Role of the State Police", Department of Public Safety and Correctional Services, 1974.

Police Service in the State of Maryland and the Role of the State Police, issued by the Department of Public Safety and Correctional Services in cooperation with the Governor's Commission on Law Enforcement and the Administration of Justice could provide a starting point for discussion.

Once appropriate police roles are determined, each level of government should be responsible for providing the ascribed police services through its own police force or with other police forces on a contractual basis.[1] In this way, state, county, and municipal police responsibilities would be uniform throughout the State, but each jurisdiction would be free to determine the manner in which its assigned police responsibilities would be provided. A balance would be reached between statewide uniformity, and individual flexibility and diversity.

5. *Legislation should be enacted to grant the State Police the same authority to operate within incorporated municipalities as they have elsewhere in the State, and to enable county law enforcement agencies to operate within incorporated areas located in their respective counties.*

After reviewing the arguments for and against restricting the operation of State Police within incorporated municipalities, the Commission concluded that these restrictions are no longer necessary or desirable. The Commission found no compelling reason for prohibiting state and county police from functioning within municipalities.[2] Therefore, the Commission recommends that legislation should be enacted to grant state and county police the authority to operate within incorporated municipalities, and Baltimore City.

A case was made that state and county police activity should be limited within municipalities, because municipal police, who are aware of the particular needs of the community, are more effective. While this may be a reason for maintaining municipal police, it is not a convincing argument for excluding state, and county police from operating within municipalities. State and county law enforcement agencies provide police protection to vastly different communities throughout the State. In doing so, the state and county police must tailor their services to the requirements of each area. If the state and county police can satisfactorily operate within densely populated unincorporated areas such as Towson, Silver Spring, and Bethesda, they certainly are capable of serving even the larger incorporated areas.

[1] Municipalities which do not retain a police force or contract for police services would not be obligated to provide the designated municipal police services. Under a contractual agreement, one of the provisions could require the enforcement of municipal ordinances.

[2] Currently, the Maryland State Police are prohibited from operating within incorporated municipalities which maintain their own police forces except under the following conditions: (1) when in pursuit of an offender or suspected offender, (2) when in search of an offender wanted for a crime committed outside the limits of a municipality or when interviewing or seeking to interview a witness for a crime, (3) upon request by the chief executive officer or the Chief of Police of the municipality, (4) when ordered by the Governor to act within the municipality, (5) when enforcing the motor vehicle laws of the State, (6) in any building or place when ordered by the President of the Senate and the Speaker of the House of Delegates, or either of them, (7) to protect the safety of an elected state official.

Instead of viewing the presence of state and county police in municipalities as a threat, it should be regarded as a benefit. With the roles of the state, county, and municipal police clearly delineated, as recommended previously, the three police forces should be able to operate within incorporated areas without competition or overlap. Each law enforcement agency would provide certain types of police service to the community which would result in more complete police coverage to the municipal residents.

The residents of the majority of municipalities with police forces are limited, except in special emergencies, to the services provided by their small municipal forces. Several of these communities do not receive twenty-four hour police coverage. Supplementary state and county police protection would be advantageous to these municipalities.

6. *A police advisory committee composed of state and local police representatives should be established to facilitate structured interagency communication on a continuing basis.*

In examining the current police situation, the Commission found that interagency police communication is sporatic. Although there is periodic communication between the higher echelons of the various police agencies as special problems arise which require joint action, regular interagency police communication and coordination is lacking. If the three levels of police are to jointly provide effective police coverage to the residents of the State, it is essential that they remain in continuous contact in order to closely coordinate their efforts.

To facilitate continuous interagency police communication and coordination, the Commission recommends that a police advisory committee be established with state and local police representation. This committee would provide a forum to consider police matters which concern and affect several police agencies. The objective of the committee would be to encourage regular interagency communications, cooperation and coordination, and propose means for improving working relations between police departments.

7. *The Baltimore City Police Commissioner should continue to be appointed by the Governor of the State of Maryland.*

The appointment of the Baltimore City Police Commissioner by the state government dates back to the 1800's. The historical reasons for this selection procedure are described in detail in the article entitled "Appointment of the Police Commissioner of Baltimore City—The Historical Background" which is attachment one beginning on page 17. Basically, the procedure resulted from the failure of Baltimore City to give adequate police protection to its citizens.

Although the Governor appoints the Police Commissioner, Baltimore City maintains complete control over the budget of the Baltimore Police Department. The budget is submitted to the Mayor and City Council by the Police Commissioner and after its approval, becomes part of the Baltimore City budget.

From time to time, efforts have been made to return the appointing power to Baltimore City. In 1920, there was a referendum and the citizens of Baltimore City voted for appointment by the Governor 87,472, and for appointment by the Mayor 72,779. Another referendum was held in 1947 and the vote upheld the appointment by the Governor.

At the recent 1975 Session of the General Assembly, several bills were introduced to return the power to Baltimore City and to provide for the method of appointment. None of the bills passed.

The present Commissioner of Police has been involved in controversial matters which are apart and separate from the method of appointment.

The arguments advanced for the change at this time are as follows:

1. Baltimore City has home rule. This power to appoint is an integral part of home rule, and therefore, should be made by the City.
2. Administration of the department by the present Police Commissioner is unsatisfactory.
3. There will be politics in the appointment whether made by the Mayor or the Governor.
4. The justification for the change made over a century ago is no longer valid.
5. The Police Commissioner has two superiors, the Governor and the Mayor, and can play one off against the other.
6. Non-residents of Baltimore City contend that by making the Police Department a truly municipal department, the large grants by the State to the City would be eliminated or curtailed. This will release more State funds for distribution to the counties.

The arguments advanced against the change at this time are as follows:

1. The present method of appointment is working well, and there is no real sentiment for the change.
2. The controversies involving the present Police Commissioner do not arise from the method of appointment.
3. The appointment would place too much political power in the hands of the Mayor and politics will, therefore, permeate the department.
4. The appointment by the Governor insulates the Police Commissioner from the intrusions of politics.
5. Baltimore will lose very substantial, perhaps all, of the state's allocations to the Baltimore City's Police Department. Why should the State make these grants to the City if the department becomes a wholly local one? For Fiscal Year 1975, the budgeted assistance from the State of Maryland to Baltimore City for its Police Department was $17,250,000. As a result of recent state gubernatorial and legislative actions, the State assistance will increase in 1976 to $32,600.000. For fiscal year 1976, the Police Department recommended a total appropriations of funds from all sources of $89,569,487.

Our Commission has considered all the arguments for and against the change and recommends that the power of appointment of the Police Commissioner of Baltimore City remain where it is now, and has been for 115 years, namely in the hands of the Governor of Maryland.

Commission Suggestion

The office of sheriff is established by the Constitution as an elected county and Baltimore City office with a four year term. The powers, duties, and responsibilities of the sheriff are set forth in Article 87 of the *Annotated Code of Maryland.* These include three basic responsibilities: serving the court, operating the local jail, and providing local police protection.

Although sheriffs are authorized to act in these three areas, sheriffs in different jurisdictions fulfill these responsibilities to varying degrees. In the urban counties and Baltimore City, the major police role has been assumed by local police departments. Furthermore, the sheriffs in Montgomery, Anne Arundel, Baltimore, and Howard Counties, and Baltimore City no longer operate the local correctional facilities, although they continue to maintain legal custody of the jail inmates.

In the section of the Report dealing with Correction, the Commission recommended that police activities should be separated from correction activities. It was also recommended that the operation of the local jail and detention centers be handled by trained correctional personnel. Combining actual practice in the urban counties with the recommendations of the Commission, the effect is to emphasize the sheriff's responsibility to serve the courts.

The role of the sheriff in the State of Maryland has changed with the passage of time and societal development. While the Commission recognizes the tremendous contributions the sheriffs, throughout the State, have given to their communities over the years, it is also cognizant of the fact that all counties are in a state of transition and must have the flexibility to refocus their resources to meet their obligation. The need for a sheriff's office in certain counties is real and apparent. Nevertheless, in order to give each jurisdiction the flexibility it needs to deal with its problems of police protection and correction, the Commission feels there is no need to continue the office of the sheriff as a constitution office. Provision should be made to provide county governments the opportunity to utilize the sheriff's office in the manner that is in the best interest of that particular jurisdiction.

ATTACHMENT

APPOINTMENT OF THE POLICE COMMISSIONER OF BALTIMORE CITY—

THE HISTORICAL BACKGROUND

The Police Commissioner of Baltimore City is now appointed by the Governor of Maryland. The Budget of the Police Department of Baltimore City is submitted to the Mayor and City Council of Baltimore by the Commissioner and after approval, it becomes a part of Baltimore City's budget. Our Commission is dealing with state and local powers and responsibilities, and one question is whether the power of appointment of the Police Commissioner should now be returned to Baltimore City.

The decision of the Court of Appeals of Maryland in 1860 upholding the validity of the transfer of the Baltimore Police Department to the control of the State is now 115 years old. The principal holding of the Court was that a municipality is legally a creation of the State and the Legislature has the power to control its police functions.

In order to understand the reasons for this present situation, it is necessary to review the history of the era that brought this about.

After the War of 1812, immigrants in large numbers came to this country and many settled in Baltimore. A spirit of intolerance arose between some religious and ethnic groups. The outgrowth was a series of secret societies, and later the American Party was born. Its members were better known as the "Know Nothings" because this was their answer to all questions about their party. Their ammunition was pavement bricks and cobble stones, revolvers, sawed-off shotguns, and on occasion, small cannons. One of their major aims was to keep those who were foreign born from voting. In between, they fought each other.

H. H. Walker Lewis, lawyer and author, in a learned discussion which appeared in *Maryland Law Review,* Vol. XXVI, No. 3, 1966, and Scharf in his *Chronicles of Baltimore* give vivid descriptions of these affrays and their casualties. Andrews, in his *History of Maryland,* page 473, describes, in colorful language, the pitched bottles and the mob rule. In one instance, a "bloody and disgraceful riot took place at the Seventeenth Ward House" on Light Street where one man was killed, twenty wounded (some of them fatally), and cart loads of bricks were strewn about.

The volunteer fire departments fought more than fires. They joined battle with each other and the secret clubs of the Know Nothing's. In one instance, "the firing was regular as if it were by platoons. A great many persons were wounded and carried from the ground, and the drug shops near the scene of action were filled with the wounded and the dying." On one occasion, the New Market Fire Company was driven out and dispersed. Their engine house was sacked, and at least four men were said to have been killed and over 150 wounded.

There was no real police department in Baltimore City at this time. There was a High Constable with one or two constables for each ward and some night watchmen who cried the time and described the weather. In 1857, the police were organized, but in the process the new recruits came from the Know Nothing's and were subservient to its leaders.

Corruption permeated the whole election process. Voters were not registered. On election day, they lined up at the polling place and handed in their ballots. The election officials could not know the voters. All sorts of ways were devised to get only the "right" people to vote and to vote the "right way." Large numbers of hoboes, drunks, and others were rounded up before election day and "cooped up" in convenient places, and on election day marched to the polling places where friendly judges of election allowed them to cast their ballots. Then they would march or be carried to other polling places to repeat the process.

The Know Nothing gangs were expert at discouraging adverse voting. By 1854 they elected the mayor and a majority of both branches of the City Council of Baltimore. They gained control of thirteen out of twenty-one counties.

There were no fair and open elections. Governor Thomas Walkins Ligon wanted to call out the state militia. The Mayor of Baltimore refused to cooperate. Democrats were so effectively barred from the polls that the Know Nothings swept the State, gaining control of the governorship, as well as both houses of the State Legislature.

A group of Baltimore citizens formed the City Reform Association. They began to make some headway. The Know Nothings organized a demonstration in opposition and utilized their usual weapons, plus some new ones. The Know Nothings took possession of the polls with firearms and bricks. No one was permitted access to the polls except with their approval. The judges of election did not intervene. No police were around. When they did arrive, they helped the Know Nothings.

As expected, the Know Nothings carried the day at the polls; but there was a revulsion of feeling throughout the State.

Three bills were introduced in the Legislature. One of the bills was designed to place the Baltimore Police under the control of a State Board of Police Commissioners. The second bill was to reform election procedures; and, the third bill was intended to eliminate the alleged restriction on the right to call the militia to preserve the peace.

The reason for such a drastic change in police control was described by the Court of Appeals of Maryland in this language:

> "****during a period when the police force was wholly under the control of the municipality, the city authorities failed to suppress the disorder and lawlessness which prevailed to an alarming extent, and the riots and blood-shed

which invariably accompanied a general or local election. The law was defied; the public peace was disturbed; the constabulary were powerless, if not in sympathy with the mob, and reputable citizens were driven by violence from the polls. Relief from the intolerable conditions which existed was finally sought by an appeal to the General Assembly, and the Act of 1860, CH. 7, completely separating the police department from the city government was the result.***'' (Upshur v. Baltimore, 94 Md. 743).

The legislation had rough sledding in the General Assembly, but was finally approved. Interestingly enough, the Governor was a Know Nothing, but under the Constitution then in effect he had no power to veto, so the bills became law.

Court tests followed. The lower court held that the City was a creature of the State and the State Legislature had the power to rearrange its functions. An appeal was taken to the Court of Appeals and was promptly decided, upholding the lower court (Baltimore v. State, 15 Md. 376) and the validity of the statutes.

Whatever else was said about this law, it worked. Six months later, new elections were held. The police force had done its job so well that citizens were free to vote as they wished, free of violence, fraud or intimidation. The Know Nothing party in the process was smashed into ineffectiveness.

In 1900 the law was changed (Ch. 15, 1900). The Police Commissioners were made subject to appointment and removal by the Governor, rather than by the General Assembly. In 1920 (Ch. 559, 1920), a single Commissioner replaced the Board.

There have been two referenda in Baltimore to determine whether the Police Commissioner should be appointed by the Mayor of Baltimore instead of the Governor. The results were as follows:

	1920	*1947*
For appointment by Governor	87,474	56,457
For appointment by Mayor	72,779	24,809

The law as it stands now is as follows:

''Chapter 203, Acts of 1966 (Police Omnibus Bill), Section 527.

(a) The Police Department of Baltimore City is hereby constituted and established as an agency and instrumentality of the State of Maryland. The purpose generally of the department shall be to safeguard the lives and safety of all persons within the City of Baltimore, to protect property therein, and to assist in securing to all persons the equal protection of the laws.***

''Section 527

The affairs and operations of the department shall be supervised and directed by a commissioner of police, who shall function as the chief police and executive officer of the department, and be known as the Police Commissioner of Baltimore City.''

''Section 530

(a) The Police Commissioner of Baltimore City shall be appointed by the Governor of Maryland for a term of six years***.''

APPENDIX A

Senate Joint Resolution No. 32—By Senator James.

RESOLUTION NO......

JOINT RESOLUTION

Senate Joint Resolution establishing a Commission to identify the various functions of government as being either (1) solely State, (2) solely local, or (3) joint State and local, and to make recommendations as to modifications of intergovernmental fiscal relationships necessary to assure adequate resources for the performance of these functions.

1 WHEREAS, There is a need for an in-depth study of the various
2 functions of government in the State of Maryland, in order to define
3 those functions which should be solely the responsibility of the
4 State, those functions which should be solely the responsibility of
5 the local subdivisions, and those functions which should be jointly
6 performed, and

7 WHEREAS, Such a study cannot proceed without careful consid-
8 eration of the intergovernmental fiscal relationships required to
9 carry out the responsibilities and functions assigned to the State
10 and its local subdivisions, taking into account the allocation and
11 sharing of various sources of revenue among the various levels of
12 government, and

13 WHEREAS, Such a study will require the participation of persons
14 actively engaged in State and local government and persons who
15 possess extensive knowledge of the operation and financing of State
16 and local government; now, therefore, be it

17 *Resolved by the General Assembly of Maryland,* That an in-depth
18 study be made of the various functions of government in the State
19 of Maryland, in an attempt to define those functions which should
20 be solely the responsibility of the State, those functions which should
21 be solely the responsibility of the local subdivisions, and those
22 functions which should be jointly performed; and be it further

23 *Resolved,* That such study include careful consideration of the
24 intergovernmental fiscal relationships (other than those relating to
25 public education) required to carry out the responsibilities and
26 functions assigned to the State and its local subdivisions, taking
27 into account the allocation and sharing of various sources of revenue
28 among the various levels of government; and be it further

29 *Resolved,* That a Commission be appointed by the Governor to
30 make the study, with representation from the Senate of Maryland,
31 the House of Delegates, elected county officials, elected officials of
32 incorporated municipalities, and persons with expertise in State
33 and local government finance; and be it further

34 *Resolved,* That the results of this study along with any fiscal
35 implications should be reported to the Governor and the General
36 Assembly as promptly as feasible; and be it further

37 *Resolved,* That copies of this Resolution be sent to the Governor
38 of Maryland, the President of the Senate, and the Speaker of the
39 House of Delegates.

APPENDIX B

MARYLAND COMMISSION ON THE FUNCTIONS OF GOVERNMENT
ANNAPOLIS FEDERAL BUILDING
140 MAIN STREET, ROOM 104
ANNAPOLIS, MARYLAND 21401
TELEPHONE: (301) 267-1279

MARVIN MANDEL
GOVERNOR

Joseph Sherbow
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John W. Neumann
Vice-Chairman

Henry T. Arrington
William A. Badger
Harry J. Bartenfelder
Gloria Cole
William G. Colman
Victor L. Crawford
Leonard W. Dayton
John H. Downs
Meyer M. Emanuel, Jr.
William W. Gullett
H. R. Hergenroeder, Jr.
Wallace E. Hutton
Clarence Kettler
John F. X. O'Brien
Walter S. Orlinsky
Robert A. Pascal
James P. Slicher
Gladys N. Spellman
George H. Spriggs, Jr.
H. Louis Stettler
James T. Sturgis
Raymond Tilghman
Achilles M. Tuchtan

Carl T. Richards
Executive Director

Information Reports Prepared and Distributed

Social Services	April 13, 1973
Natural Resources	April 19, 1973
Economic Development	June 14, 1973
Supplemental Information on Parks & Recreation	June 14, 1973
Supplemental Information on Community Use of School Facilities	September 23, 1973
Water & Sewerage	October 19, 1973
Elections	January 16, 1974
Public Health	February 12, 1974
Regionalism	March 15, 1974
Correction	April 8, 1974
Community Development	April 15, 1974
Police Protection	August 6, 1974
Transportation	August 16, 1974
Fire and Rescue Services	August 26, 1974
Licensing & Regulation	September 13, 1974
Licensing of Alcoholic Beverages	September 13, 1974
Agriculture	September 18, 1974
Planning	October 18, 1974

Commission Reports Available

Social Services	December 13, 1973
Elections	August 12, 1974

APPENDIX C

INFORMATIONAL REPORT
ON
CORRECTION

INFORMATIONAL REPORT

ON

CORRECTION

APRIL 8, 1974

(For Discussion Only)

MARYLAND COMMISSION ON THE FUNCTIONS OF GOVERNMENT

EXECUTIVE BUILDING
140 MAIN STREET
ROOM 301
ANNAPOLIS, MARYLAND 21401

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INTRODUCTION

Incarceration of persons who have broken societal laws has been used as a major form of punishment throughout the history of man. Because the purpose of incarceration was to take an individual who had committed a crime away from society and punish him, penal institutions were generally established in remote and sparsely populated places. Persons knowledgeable about and associated with penology feel that of the three components of the criminal justice system (police, courts, and corrections), corrections is perhaps the most critical. Yet, according to the Task Force on Corrections of the President's Commission on Law Enforcement and the Administration of Justice as late as 1967, "correction remains a world almost unknown to law-abiding citizens, and even those within it often know only their own particular corner."

The increasing frequency of riots within penal institutions, wide publicity given to inmate grievances, and the continued threat of strikes by prison guards have been responsible for emphasizing the problems of our entire correctional system and bringing them to the attention of the general public. As more facts become known about the conditions of our detention facilities, the lack of motivational programs and the basic failure of the entire system to rehabilitate the individual and decrease the rate of recidivism, concern over the situation and what to do about it has expanded to many sectors of society.

Part of the problem of correction can be attributed to our neglect of the function for over a century and to apathy on the part of the public and governmental officials to improving conditions. At the same time, conflicts over ideology hinder any massive efforts aimed at improving the conditions.

Penology has at least four basic philosophies related to it that have developed throughout history. First, it is strongly held that a person is responsible for his acts against society, and should be forced to pay a debt to society. Second, there is the belief that punishment for a crime should be fast and commensurate so that others are deterred from committing crimes. Third, a long and commonly held belief is that society must be protected from all crimes and, therefore, criminals are to be kept separate from the rest of society. And fourth, the most recent philosophy set forth is that criminals are victims of social circumstances beyond their control and should be rehabilitated.

While the basic philosophy and the principal objectives of our penal system continue to change, total rejection of older ideas and acceptance of new concepts has yet to materialize. The result of this phenonmenon is

that widespread disagreement exists concerning how persons, accused or convicted of a crime, should be handled and what should or should not be done with these individuals.

Correction, like many other governmental functions, suffer to some extent, from the problems of fragmentation, unevenness of public support, lack of standards of performance, inadequate and untrained personnel and neglect. In the State of Maryland, the correctional system is plagued by many of these same problems. Major changes in the present correctional system are seen by correctional officials as the only feasible way to meet and fulfill their responsibility to the inmates and society as a whole. While change in the correctional system may be desired and under consideration, the type of change, the direction it should take, and how it will be accomplished are important factors that are still in the planning and discussion stages.

For the purpose of this report, correctional services refers to institutions, activities and programs designed to control, manage, counsel, treat, and process adult persons placed in custody or under official supervision after having been charged with or found guilty of criminal acts. In the State of Maryland, responsibility for pre-sentence and post-sentence detention rests with the State, the counties, and Baltimore City. Municipalities (towns and cities) may have local facilities that are used by municipal police forces to detain individual. However, persons detained in these town or city facilities are generally transported to a county facility within a few hours after being arrested by municipal police. Therefore, the emphasis of this report will be on correctional services

at the state, county, and Baltimore City levels.

The remaining portion of this report is designed to do several things. First, by providing a descriptive analysis of the agencies involved with the correctional function and the operations as they exist at the state and local levels, a broad overview of the correctional system will be available. Second, a number of specific problems mentioned during discussions with correctional officials and gleaned from relevant material along with innovative programs in the correctional area will be emphasized. And third, questions developed from the previous material and viewed as encompassing possible areas of concern for the Commission will be presented.

CORRECTIONAL SERVICES AT THE STATE LEVEL

Prior to the reorganization program initiated by Governor Marvin Mandel during the 1969 Session and continuing through the 1970 Session of the Maryland General Assembly, agencies responsible for activities related to correction were basically independent of each other and reported directly to the Governor. By reorganizing and locating related agencies in principal departments,it was felt that reorganization would facilitate a systematic coordination of all state programs, reduce duplication of effort, and close gaps in services.

The Department of Public Safety and Correctional Services was established by Chapter 401, Laws of Maryland 1970. The Department was created to carry out the laws and policies in public safety, law enforcement, crime prevention, criminal correction, treatment of defective delinquents and

parole and probation. Organizationally, the Department is divided into two independent but related functions--public safety and correctional services. Although related, the activities and clients of the two functions dictate that they should, nevertheless, be administered separately. To insure that operations of public safety and correctional services remain separate and complement rather than hinder each other, provisions have been made to provide for a deputy secretary to administer each function (see Chart 1, page 6). An information report dealing with public safety will be issued at a later date.

Correctional services, within the Department of Public Safety and Correctional Services, are broken into seven divisions, boards and commissions that include: the Division of Correction, the Board of Parole, the Division of Parole and Probation, Patuxent Institution, the Correctional Training Commission, the Inmate Grievances Commission, and the Sundry Claims Board. Each of the correctional agencies will be briefly considered.

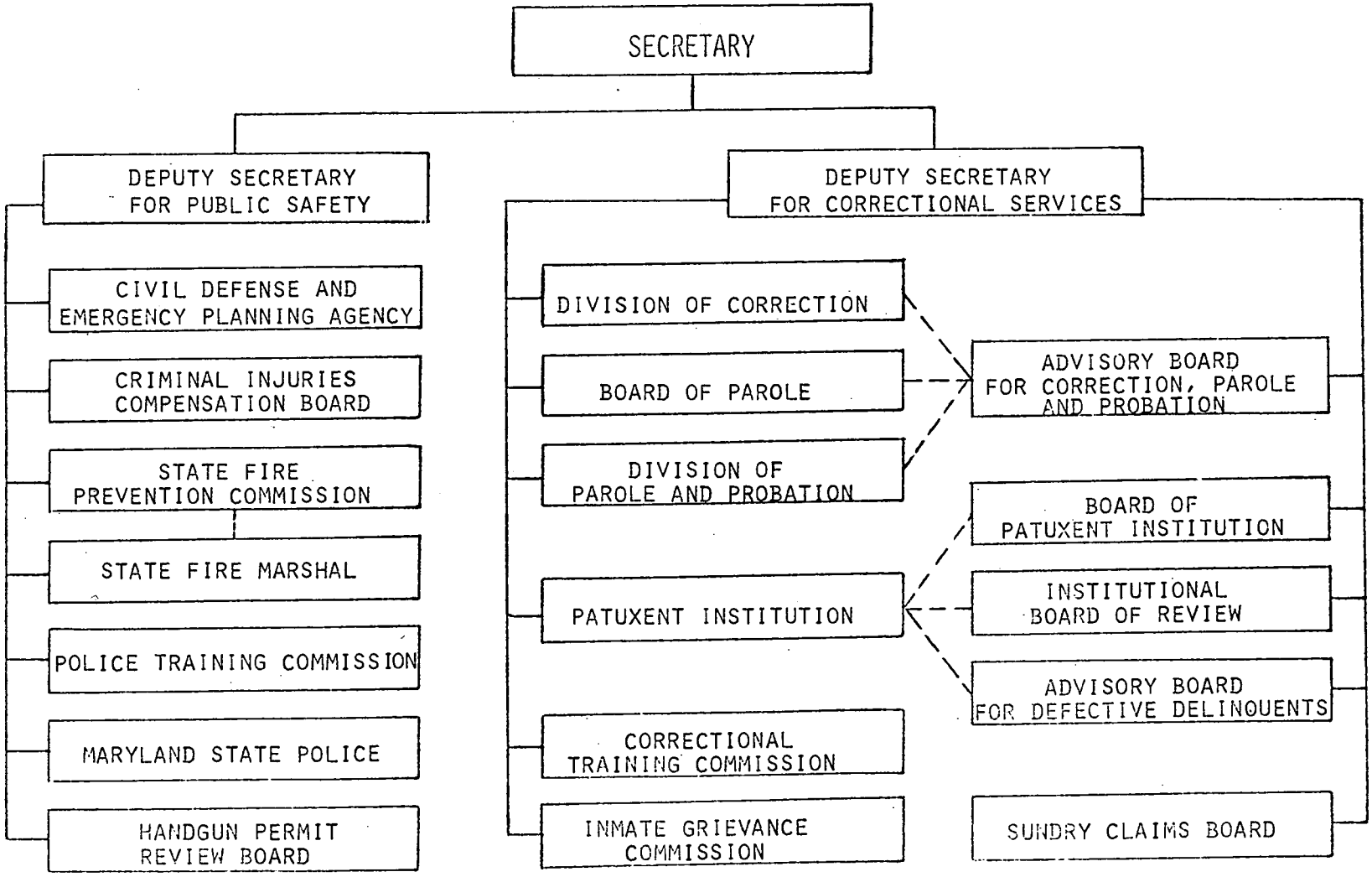
Division of Correction

By virtue of Chapter 401, Laws of Maryland 1970, the Department of Correctional Services was retitled and reestablished as the Division of Correction,and continued to exercise central administrative control over adult correctional facilities as provided by Article 27, Sections 667-726 of the Annotated Code of Maryland. The Division of Correction is headed by a Commissioner who is appointed by the Secretary of Public Safety and Correctional Services with the approval of the Governor and by and with the advice and consent of the Senate. To assist him in administering the state

CHART 1

STATE OF MARYLAND

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES



——— DIRECT CONTROL
- - - ADVISORY RELATIONSHIP

JULY 1, 1972

CHART 1

correctional system, the Commissioner is authorized to appoint a deputy commissioner, a warden or superintendent for each institution and assistant warden or assistant superintendent in any institution where it is deemed necessary.

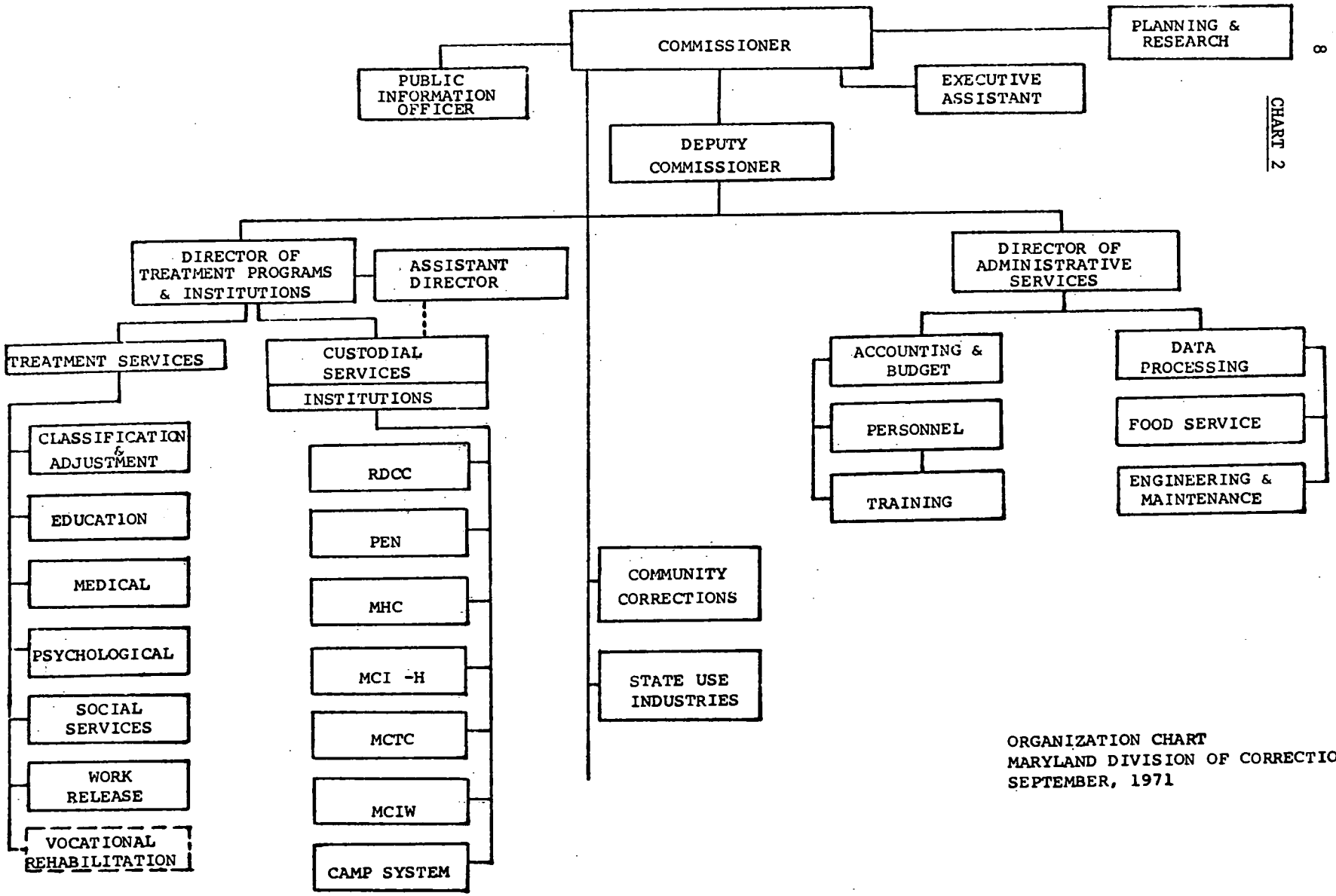
Organizationally, the Division of Correction is divided into two major areas--treatment programs and institution, and administrative services. In addition to these two operating areas, the Commissioner is responsible for the community corrections program and the State Use Industries (see Chart 2, page 8). During fiscal year 1973, the total expenditure of the Division of Correction was $26,780,201. This expenditure of $26,780,201 represents 39.2% of a total departmental budget of $68,204,265. A summary of expenditures of the Division of Correction from FY-69 through FY-74 is provided below:

Fiscal Year	Total Expenditure	% of Increase	Authorized Positions	% of Increase
69	$15,880,763	-	1,685	-
70	19,088,905	20.2	1,711	1.5
71	21,684,172	12.6	1,776	3.8
72	24,071,472	11.0	1,812	2.0
73	26,780,201	11.3	1,799	.7
74 *	28,230,564	5.4	1,909	6.1

* Appropriation

The Division of Correction handles the majority of offenders sentenced to be incarcerated in Maryland, which may amount to approximately 9,000 different individuals annually. According to Article 27, Section

CHART 2



ORGANIZATION CHART
MARYLAND DIVISION OF CORRECTION
SEPTEMBER, 1971

690 (c), an offender must be serving a sentence of at least three months before being committed to the custody of the Division of Correction. During FY-72, the average daily population of the state prison system was 5,097 inmates who were housed at an annual per capita cost of $4,723 (see Table I, page 10). The Maryland correctional system on an institutional basis is structured as follows:

The Penitentiary - Baltimore

The Maryland Penitentiary dates back to 1804 making it one of the oldest prisons still in operation. Located on a six and one-half acre plot in the heart of Baltimore City, the Penitentiary is a maximum security institution for confinement of long-term adult male offenders. Depending upon the sources used, the rated capacity of the Penitentiary ranges from 754 to 998 inmates (for information on the rated capacity of each institution see Table I, page 10). The average population during FY-72 of the Penitentiary, including the Reception Center, was 1,056 inmates. Regardless of what figure is used as the rated capacity of the Penitentiary, the facility is still overcrowded.

Table II found on page 11 indicates that between FY-67 and FY-73 the total expenditures to operate the Penitentiary more than doubled. During this same period of time, the average per capita cost increased by two and one-half times. The average daily population fluctuates from year to year but two factors associated with the operation of the Penitentiary persist. First, the overcrowded conditions remain as a constant problem. And, second, the cost to operate the penal facility continues to rise.

Table II, as well as other Tables containing financial information

TABLE I

FISCAL 1972
INSTITUTIONAL POPULATIONS

	Rated Capacity	*Average Daily Population*	*Annual Per Capita Costs*
House of Correction	1052	1450	$ 4,163
Penitentiary (Including Reception Center for Males—capacity 266)	998	1056	5,524
Correctional Institution—Hagerstown (Including Correctional Training Center—capacity 1026)	1624	1582	4,464
Correctional Institution for Women (Including Reception Center for Women—capacity 15)	229	119	10,891
Correctional Camps (Including Vocational Rehabilitation Pre-Release Unit and the O'Brien House—capacity 98)	814	715	3,732
Central Laundry	112	175	1,229
Total for Department	4829	5097	
Average Per Capita Cost			$ 4,723

Source: Forty-fourth Report, Maryland Division of Counties

TABLE II

MARYLAND PENITENTIARY

FINANCIAL DATA

FY-67 THROUGH FY-74 *

	PERSONS	EXPEND. ($1000)	PER CAP. ($)	SERVICE (1973$)	% INCREASE PERSONS	SERVICE	PRICE	EXPEND.
1967	1306	2925.496	2240.	2901.	.0	.0	.0	.0
1968	1246	3578.218	2872.	3595.	-4.6	23.9	3.4	22.3
1969	1308	3964.949	3031.	3628.	5.0	.9	4.6	10.8
1970	1306	4629.272	3545.	3995.	-.2	10.1	6.2	16.8
1971	1263	5316.108	4209.	4509.	-3.3	12.9	5.2	14.8
1972	1056	5833.692	5524.	5726.	-16.4	27.0	3.4	9.7
1973	1165	6388.236	5483.	5483.	10.3	-4.2	3.7	9.5
1974	1300	6396.054	4920.	4488.	11.6	-18.2	9.6	.1

Source: Fiscal Planning section of the Maryland Department of Budget and Fiscal Planning.

* For an explanation of Table see page 9, last paragraph.

about specific state correctional institutions (Tables II through VI and Table XII), are explained as follows: The first column is an identification of the fiscal years involved. Column two (Persons) is the average daily population at the facility during specific fiscal years, while the third column (Expenditures) contains the costs to operate the facility during those same years. Per capita cost found in column four is derived by dividing column three by column two. Column five (Service-1973 $) is an indication of the level of service provided at the institution using the purchasing power of the dollar as of 1973. What this simply means is that X number of dollars were spent to obtain X service in 1973. Because of inflation and other factors, spending X number of dollars in other years does not necessarily guarantee that X services will be purchased, as indicated in columns four and five. Columns six (Persons), seven (Service), and nine (Expenditures) merely reflect the percent of increase or decrease between each fiscal year. The remaining column eight (Price) is the rate of inflation occurring each year and has a major affect upon level of service.

According to a study carried out for the Governor's Commission on Law Enforcement and the Administration of Justice,[1] the Penitentiary has only one rehabilitative or training facility of any quality and that is a state use print shop which employs about sixty inmates. In this same study, it is also stated that other state use shops, including a wood shop, a metal shop, and a laundry, provide some daily activity, but these are said to be of little rehabilitative value for the 200 individual involved. Most of the remaining

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[1] Analysis of Comprehension Plans to Develop A Statewide Community Corrections System, State of Maryland, July, 1973, p. 8.

inmates are employed in maintenance work, or are idle.

In accordance with provisions of Chapter 695, Laws of Maryland 1967, a portion of the Penitentiary was converted into a Reception, Diagnostic and Classification Center. The Center, with a rated capacity of 266, receives persons convicted of crimes in the State and committed to the Division of Correction with a minimum sentence of ninety days. An individual's stay at the Center varies from three to six weeks depending upon the complexity of the case. Once the diagnostic and classification work has been concluded, officials submit recommendations to the Commissioner for transfer of the individuals to the various state correctional facilities. The daily population of the Center fluctuates between 300 and 500 individuals.

Maryland House of Correction - Jessup

Built in 1870, the Maryland House of Correction is located in a sparsely populated area in Jessup, Maryland. The correctional institution at Jessup, comprising sixteen buildings located on 817 acres, is a medium security facility for adult male offenders. The rated capacity for the House of Correction is approximately 1,052 while the average daily population during FY-73 was 1,434 inmates.

Inmates within the institution are assigned to activities such as institutional maintenance, State Use Industries, dietary program, laundry, and the commissary. State Use Industries operated at the House of Correction include: auto tag and sign shop; knit shop; mattress shop; paint shop; sewing shop; wood refinishing shop; and woodwork shop. Although these State Use Industries are located at the House of Correction, a number

of persons associated with correction feel that few, if any, of the inmates receive any vocational training which makes them better qualified for employment outside of an institutional setting. In addition, not all inmates at the Jessup institution have an opportunity to busy themselves in a structured activity. According to officials, almost one-third of the institutional population is idle.

Between 1967 and 1973, total expenditures to operate the House of Correction doubled (see Table III, page 15). The average daily population at the Jessup facility has fluctuated over the years but has averaged approximately 1,516 inmates over the last four years. With rising expenditures to operate the House of Correction and small changes in the number of inmates, the per capita cost has also risen over the past few years. Since 1969, the per capita expenditure has increased from $2,765 to $4,513 or an increase of 63%.

Like the Penitentiary, the Maryland House of Correction is overcrowded. Crowded conditions not only affect the inmates but also correctional officials. Even if there were programs designed to rehabilitate, they would have to give way to concern for logistical problems and security.

Correctional Institution and Correctional Training Center - Hagerstown

Both the Correctional Institution and Training Center are located on a 1,200 acre site in Hagerstown, Maryland. The Correctional Institution comprises eleven buildings, as does the Maryland Correctional Training Center. Built in the 1940's, the Correctional Institution is a medium security facility that houses many of the State's youngest adult offenders. The Correction Training Center is thought to be the most adequate

TABLE III

MARYLAND HOUSE OF CORRECTION

FINANCIAL DATA

FY-67 THROUGH FY-74 *

	PERSONS	EXPEND. ($1000)	PER CAP. ($)	SERVICE (1973$)	% INCREASE PERSONS	SERVICE	PRICE	EXPEND.
1967	1734	3297.374	1902.	2463.	.0	.0	.0	.0
1968	1447	3846.257	2658.	3328.	-16.6	35.1	3.4	16.6
1969	1492	4124.822	2765.	3309.	3.1	-.6	4.6	7.2
1970	1565	4862.561	3107.	3502.	4.9	5.8	6.2	17.9
1971	1490	5351.958	3592.	3848.	-4.8	9.9	5.2	10.1
1972	1450	6035.871	4163.	4315.	-2.7	12.1	3.4	12.8
1973	1434	6471.481	4513.	4513.	-1.1	4.6	3.7	7.2
1974	1500	6655.995	4437.	4047.	4.6	-10.3	9.6	2.9

Source: Fiscal Planning section of the Maryland Department of Budget and Fiscal Planning.

* For an explanation of Table see page 9, last paragraph.

and up-to-date of the State's medium to maximum security institutions.

The rated capacity for both institutions is 1,624 with the Correctional Training Center having facilities for 1,026 inmates while the remaining 598 slots are available at the Correctional Institution. During FY-73, the average daily population was 1,689 or 4% above the rated capacity. Costs to operate the facilities have increased from $3.1 million to $7.5 million or approximately 141% between FY-67 and FY-73. Additional financial information is contained in Table IV, page 17.

State Use Industries at the Correctional Institution include the brush and carton shop; the cannery; the metal working shop; and the woodwork shop. Instructional programs for academic and vocational education serviced approximately 400 inmates at the Correctional Training Center during 1972. In addition, about 600 individuals are assigned to institutional positions other than training. This includes food service, clerical positions, counselors' or teachers' aides, powerhouse, grounds, and trades. The remaining inmates are idle.

Correctional Institution for Women - Jessup

Located in Jessup, Maryland, the Correctional Institution for Women receives and houses adult females. In addition, a Reception Center for females committed to the jurisdiction of the Division of Correction is operated within the Correctional Institution for Women. The rated capacity of the Correctional Institution for Women is 229, with fifteen of these spaces used by the Reception Center.

The Correctional Institution operates largely as a minimum security facility and operates a work-release program. During FY-73, the average

TABLE IV

HAGERSTOWN - CORRECTIONAL INSTITUTION

FINANCIAL DATA

FY-67 THROUGH FY-74 *

	PERSONS	EXPEND. ($1000)	PER CAP. ($)	SERVICE (1973$)	% INCREASE PERSONS	SERVICE	PRICE	EXPEND.
1967	1405	3123.232	2223.	2879.	.0	.0	.0	.0
1968	1469	4328.619	2947.	3689.	4.6	28.1	3.4	38.6
1969	1579	4656.409	2949.	3529.	7.5	-4.3	4.6	7.6
1970	1704	5491.909	3223.	3633.	7.9	2.9	6.2	17.9
1971	1614	6344.539	3931.	4211.	-5.3	15.9	5.2	15.5
1972	1582	7062.448	4464.	4627.	-2.0	9.9	3.4	11.3
1973	1689	7534.356	4461.	4461.	6.8	-3.6	3.7	6.7
1974	1650	8095.683	4906.	4475.	-2.3	.3	9.6	7.5

Source: Fiscal Planning section of the Maryland Department of Budget and Fiscal Planning.

* For an explanation of Table see page 9, last paragraph.

daily population was 145 inmates, which was a decrease of 25 from the 1967 figure of 170 (see Table V, page 19). The total funds needed to operate the Correctional Institution for Women more than doubled when expenditures increased from $650,590 in FY-67 to $1.5 million in FY-74. While the average daily population has varied only slightly over the years, the operating costs have continued to increase over the same time period. The result of this situation is that the per capita cost has risen from $3,827 in FY-67 to $9,826 in FY-73.

Correctional Camps

The Maryland Camp System consists of seven minimum security facilities located throughout the State. The Administrative Building at Jessup is the headquarters of the Camp System, housing the administrative, classification, and accounting offices. In addition, the Camp System is made up of a Camp Center (with a capacity of 425) located in Jessup, three smaller camps in rural areas, a central laundry, and a community vocational and rehabilitation center.

In total, the Camp System has the capacity to house 814 inmates (926 if the central laundry is included). During FY-73, the average daily population was 763. This figure is below the rated capacity of 814.

Every person assigned to the Camp System is involved in work projects that fall into four general categories:

a) Camp maintenance.

b) Details working out of the Camps for various state agencies.

c) Laundry work.

d) Work-release program.

TABLE V

CORRECTIONAL INSTITUTION FOR WOMEN

FINANCIAL DATA

FY-67 THROUGH FY-74 *

	PERSONS	EXPEND. ($1000)	PER CAP. ($)	SERVICE (1973$)	% INCREASE PERSONS	SERVICE	PRICE	EXPEND.
1967	170	650.590	3827.	4956.	.0	.0	.0	.0
1968	139	839.149	6037.	7558.	-18.2	52.5	3.4	29.0
1969	143	852.247	5960.	7133.	2.9	-5.6	4.6	1.6
1970	145	1112.385	7672.	8647.	1.4	21.2	6.2	30.5
1971	122	1206.306	9888.	10593.	-15.9	22.5	5.2	8.4
1972	119	1296.335	10894.	11291.	-2.5	6.6	3.4	7.5
1973	145	1424.718	9826.	9826.	21.8	-13.0	3.7	9.9
1974	150	1517.772	10118.	9229.	3.4	-6.1	9.6	6.5

Source: Fiscal Planning section of the Maryland Department of Budget and Fiscal Planning.

* For an explanation of Table see page 9, last paragraph.

The work-release program has been in operation in the Camp System since 1963. According to the Forty-Fourth Annual Report of the Division of Correction, approximately 900 inmates have been involved in the work-release program. The following is a list, as of June 30, 1972, of the number of persons participating in the work-release program from each camp:

a)	Camp Center	177
b)	Eastern Camp	51
c)	Poplar Hill Camp	59
d)	Southern Maryland Camp	53
e)	Community Vocational Rehabilitation and Release Center	58
	Total	395

Between 1967 and 1973, the cost to the State to operate the Camp System (excluding central laundry) increased from $1.2 million to $2.8 million or 131% (see Table VI, page 21). At the same time, the average daily population increased from 575 inmates in FY-67 to 763 in FY-73 or a 33% increase. While the per capita cost also increased from $2,168 in FY-67 to $3,776 in FY-73, it is still lower than the per capita cost at any other state correctional institution.

Two factors are said to be mainly responsible for the lower per capita cost at the Correction Camps than at other state correctional institutions. First, the facilities are relatively new (oldest facilities are about fourteen years old) and do not require expensive upkeep and renovation. Second, the Camps are minimum security facilities which means

TABLE VI

CORRECTIONAL CAMPS

FINANCIAL DATA

FY-67 THROUGH FY-74 *

	PERSONS	EXPEND. ($1000)	PER CAP. ($)	SERVICE (1973$)	% INCREASE PERSONS	SERVICE	PRICE	EXPEND.
1967	575	1246.591	2168.	2808.	.0	.0	.0	.0
1968	660	1525.064	2311.	2893.	14.8	3.0	3.4	22.3
1969	621	1614.506	2600.	3112.	-5.9	7.6	4.6	5.9
1970	640	1968.380	3076.	3466.	3.1	11.4	6.2	21.9
1971	702	2413.422	3438.	3683.	9.7	6.2	5.2	22.6
1972	715	2668.388	3732.	3868.	1.9	5.0	3.4	10.6
1973	763	2881.304	3776.	3776.	6.7	-2.4	3.7	8.0
1974	750	3124.973	4167.	3801.	-1.7	.6	9.6	8.5

Source: Fiscal Planning section of the Maryland Department of Budget and Fiscal Planning.

* For an explanation of Table see page 9, last paragraph.

smaller staffs and less stringent security measures resulting in reduced operating costs.

Combining all correctional institutions, they have a rated capacity of approximately 4,829 inmates. During FY-72, the total average daily population was 5,097 or 5.5% above the rated capacity. When considering the question of overcrowding at the correctional institutions, care must be taken not to be misled for a number of reasons by a figure such as 5.5% that indicates the overall extent of overcrowding. First, rated capacity of the correctional facilities varies from source to source. Second, the extent of overcrowding differs from one facility to another. Finally, some facilities may be overcrowded every day of the year, while another institution may go from being under utilized to over utilized.

The type, number, and rehabilitative value of the various programs offered at the correctional institutions have been questioned because of the problems of overcrowding, lack of facilities, and limited resources. One of the better known state conducted programs is the State Use Industries. The Industries are operated by the Division of Correction in compliance with Article 27, Section 681, of the Annotated Code of Maryland. Civilian employees supervise and train the individuals in the manufacturing of finished products. The objective of the program is to provide prisoners with the vocational skills necessary to acquire gainful employment after leaving the institution.

According to state officials, many of the jobs performed in these industries (see Table VII, page 23, for a list of Industries at each institution and number of inmates involved with them) are not transferable

TABLE VII

STATE USE INDUSTRIES

TABLE VII

Description: The Industries are conducted under the direction of civilian employees who supervise and train the inmate workers engaged in the manufacture of finished products. The products are sold to the State and its political subdivisions.

The Table below indicates the number of inmates employed by type of shop in the State Use Industries for the month of November 1972.

STATE USE INDUSTRIES
NUMBER EMPLOYED BY SHOP

Shop/Location	Number Assigned (Nov. 1972)
Penitentiary	
Metal Shop	34
Print Shop	45
Sewing Shop	4
Woodwork Shop	72
House of Correction	
Auto Tag & Sign Shop	60
Knit Shop	50
Mattress Shop	11
Paint Shop	21
Sewing Shop	84
Wood Refinishing Shop	13
Woodwork Shop	70
Correctional Institution, Hagerstown	
Brush & Carton Shop	5
Cannery	38
Metal Working Shop	51
Woodwork Shop	9
Correctional Institution, Women	
Sewing Shop	28
Industries Warehouse	26
TOTAL:	621

Source: Division of Correction, A Special Report.

to comparable positions in society. In addition, inmates today are generally young, Black, and well educated. Many of these individuals feel that working in State Use Industries is a form of slavery and is degrading. Today's inmates are also well aware of their rights and are always on guard to insure they are not violated. All these factors have tended to diminish interest in the programs with the result that their rehabilitative value is in question and they are now operating at a loss.

In accordance with Article 27, Section 700A, of the Annotated Code of Maryland, a work-release program is conducted by the Division of Correction for those inmates who qualify. Money earned while on work-release is put toward travel expenses for work, support of an inmate's family, room and board, and personal expenses and savings. The program is viewed as a way to rehabilitate inmates as well as to assist them in making the transition from institutional living to a free society. In addition, the work-release program also helps to keep the expense of incarceration down and often times prevents the families from needing assistance from the Social Services Administration.

An individual participating in the work-release program may also become eligible for weekend leave after two months with the program. Final authorization and the terms and conditions of such leave rests with the Commissioner of Correction. It is hoped that the leave aspect of the work-release program adds to the rehabilitation of an inmate.

Academic and vocational training programs are also provided in the correctional institutions. Basic and advanced academic training is said to exist at all institutions. The training is geared toward raising the educational level of the eighty-five percent who enter the correctional

system without a high school diploma or its equivalent. Vocational training is available at the Maryland Correctional Training Center at Hagerstown. There are seven state funded vocational programs now in operation that are designed to teach needed skills for today's employment market (see Table VIII below).

TABLE VIII

Vocational Certificates Awarded and Current Program

Vocational Program	Certificates Awarded FY-1972	Certificates Awarded 1968-1972	Current Enrollment Jan. 12, 1973
Automobile Mechanics	21	149	16
Barbering	9	26	6
Electronics	11	135	6
Machine Shop	21	101	14
Masonry	43	152	26
Plumbing	20	125	16
Woodworking	20	129	17
	145	817	101

Source: Division of Correction, A Special Report

Those individuals who successfully complete the training receive a certificate of accomplishment.

Authority for a methadone detoxification program is found in Article 27, Section 700F, of the Annotated Code of Maryland. If a person confined to a correctional institution at either the state or local level is found to be a drug addict as determined by a physician, the individual can be placed on a program of methadone detoxification. No treatment will be provided, however, unless the person gives his written consent.

The nucleus of any rehabilitative process is its medical care program.

If a person is not in good physical health, it is difficult to encourage participation in activities even though they are designed to assist a person to move more easily from a state of incarceration to freedom. Before being assigned to a specific institution for confinement, the inmate, while at the Reception Center, is given a complete physical examination within the first twenty-four hours of his arrival. Medical and dental problems are diagnosed and forwarded to the maintaining institution. Medical care is provided to inmates within each institution. Additionally, the Penitentiary Hospital, a sixty-bed facility, serves the inmate population of the institutions operated by the Division, as well as the Patuxent Institution (see Table IX, page 27, for medical expenditures for correctional institutions).

It is the medical care program, however, that has been criticized over the years. As recently as December 19, 1973, a report, highly critical of the medical care provided to the inmates of the Maryland correctional system, was issued by an ad hoc committee of the Medical and Chirurgical Faculty of the State Medical Society. The Committee concluded that the present health care given to inmates is barely adequate on a day-to-day basis.

The Committee suggested that the present system is viable and offers a feasible method of delivering health care to inmates at the lowest cost, but changes have to be made. Along with the recommendation to establish an autonomous system (not part of the Division of Correction) with an adequate budget under a strong independent medical director responsible only to the Secretary of the Department of Public Safety and Correctional Services, the Committee made a number of other suggestions directed toward

TABLE IX

CLINICAL AND HOSPITAL EXPENDITURES FOR CORRECTIONAL INSTITUTIONS (FY-69 TO FY-73)

	FY-19'	Total Expenditures	Total Medical Expenditures	% of Total Col. 3/Col. 2	Total Client Days in Hospital	Total Treatments in Dispensary
Maryland House of Correction	69	$ 4,124,822	$ 266,056	6.45% *	7,300	19,780
	70	4,862,561	283,693	5.83% *	7,116	26,112
	71	5,351,958	317,624	5.93% *	8,235	33,236
	72	6,035,871	362,643	6.00% *	8,723	33,155
	73	6,471,481	358,487	5.53% *	9,050	37,122
Maryland Penitentiary	69	3,964,949	320,470	8.08%	17,758	14,739
	70	4,629,272	374,925	8.09%	14,997	18,271
	71	5,316,108	423,734	7.97%	14,542	16,441
	72	5,833,692	497,911	8.53%	13,224	16,501
	73	6,388,236	486,353	7.62%	12,046	14,400
Maryland Correctional Institute - Hagerstown	69	4,656,409	181,439	3.89%	2,304	14,664
	70	5,491,909	191,673	3.50%	873	12,214
	71	6,344,539	217,777	3.43%	1,109	15,119
	72	7,062,448	261,839	3.70%	1,306	16,498
	73	7,534,356	276,005	3.66%	1,176	19,663
Maryland Correctional Institution for Women - Jessup	69	852,247	55,195	6.47%	250	10,000
	70	1,112,385	61,563	5.53%	150	10,000
	71	1,206,306	59,028	4.89%	208	11,000
	72	1,296,335	64,893	5.00%	151	11,500
	73	1,424,718	70,918	5.00%	216	16,014
Maryland Correctional Camps	69	1,614,506	36,341	2.25%	**	**
	70	1,968,380	40,599	2.07%	**	**
	71	2,413,422	40,765	1.68%	**	**
	72	2,668,388	48,930	1.83%	**	**
	73	2,881,304	46,158	1.60%	**	**

* $30,000 paid by special funds, except for 1970 where $29,994 was paid by special funds and 1973 where $42,424 was paid by special funds.

** Cases requiring hospitalization are referred to the Maryland Penitentiary Hospital or the Maryland House of Correction Hospital.

Source:
The Maryland State Budget for FY-69 through FY-73.

improving the quality of medical care in the institutions. For further information concerning the Committee's report, see Appendix A.

Community Corrections Task Force

Recent concern over what has been termed the failure of the present correctional system to adequately rehabilitate and reduce the rate of recidivism of its inmates has led to increased emphasis on new programs. In 1967, a report entitled "The Challenge of Crime in a Free Society," and published by the President's Commission on Law Enforcement and the Administration of Justice, emphasized the need for working with offenders in the community. During that same year, the Commission to Study the Correctional System of Maryland (Michaelson Commission) recommended that attention should be directed toward establishment of community based programs with increased community involvement in the correctional process.

In 1970, a Community Corrections Committee, chaired by the Honorable George B. Rasin, Jr., was established to study the technical, financial, and political feasibility of a state-wide move toward community corrections. As a result of the work of the Committee, a Community Corrections Task Force was established in 1971 within the Division of Correction. During 1971, $200,000 was appropriated to be used by the Task Force. Of this amount, $150,000 were federal (LEAA) funds with the remaining $50,000 coming from the State. In FY-72, the sources of funds and the total amount of the Task Force's budget remained the same. The goal of the Task Force was to develop a state-wide community corrections program while emphasizing alternatives to incarceration as well as appropriate classification and treatment of offenders through community correctional centers that maximized

the utilization of community resources.

The State Division of Correction is responsible for sentenced individuals. Over a period of a year, approximately 9,000 individuals are incarcerated in the state correctional system (average daily population is about 5,000). Most of these persons are housed in the massive institutions that allow for limited flexibility and require a high degree of regimentation. Additionally, as indicated in a report by the Task Force, over 60% of the individuals committed to the Division of Correction have sentences of two years or less with incarceration averaging around six months.

It can also be pointed out that 92% of the Division of Correction's budget in fiscal 1970 was spent on custody. Only 8% was available for rehabilitative programs such as education, vocational training, counseling, and other programs. Indications are that little has changed since that time. In FY-73, of a total budget of 26.7 million dollars, approximately 75% was used for salaries. The remaining 6.8 million dollars or 25% had to be divided between direct operational costs and program costs.

Because of these factors and the basic assumption by correctional officials that the present system is not working, the emphasis on correction has moved from large institutions to community corrections. The fundamental philosophy underlining the community correction concept is that the most effective means of correcting the offenders and reducing crime is through utilization of community services to help in the process of reintegrating the offender into his community.

More specifically, the Task Force states in a report that the role of community corrections programs can generally be seen as reducing crime by: (1) diverting the offender from incarceration through utilization of pre-

trial diversion strategies; (2) directing the offender, through adequate diagnostic evaluation and classification capabilities, into appropriate differential treatment programs and facilities; (3) providing effective re-integration of the offender into community life by encouraging meaningful relationships between the offender and the community; and (4) minimizing the fund expenditure per offender by looking toward alternatives to incarceration and effective use of existing community facilities programs and resources to the greatest extent possible.

Individuals assigned to a community corrections facility would include those persons who were first offenders, drug abusers, alcoholics, non-support and misdemeaner offenders, short-term offenders, minimum security offenders who need particular types of community services, and appropriate offenders from large institutions who are nearing their release date or parole hearing. For such a program to be successful, it would be mandatory for the Division of Correction to improve and increase its diagnostic and classification capabilities if the additional risks associated with community corrections are to be taken.

Programs such as mental and physical health services, counseling, social services, parole and probation services, institutional training, drug abuse treatment and care, alcoholic treatment and care, work and educational release programs, family services, recreation, and remedial and basic education should be available to a community based correctional facility. The advantage of the programs associated with the community corrections concept that is being stressed is that in most cases it will not be necessary for the Division of Correction to provide these services itself. The whole idea is to take advantage of those services which

already exist in the community where the correctional facility will be located. For example, an offender housed in a local correctional facility could use the local community mental health clinic. In this situation, an individual could be treated as part of that community's mental health problem, which, in fact, he is.

While it is suggested that many services needed by offenders can be provided by community agencies, this is not to say that many important services will not have to be provided by the Division of Correction. To provide a total rehabilitative program, specially trained correctional personnel will be needed to administer the facilities and the many programs. Considerable retraining and professionalizing of correctional staff will be required to enable the Division personnel to assist in the rehabilitation of the community-based offender.

Another basic argument in support of the community corrections concept is the cost of the facilities. Information provided previously concerning the conditions surrounding the state institutions indicate that action to improve the situation will have to be taken soon. Preliminary figures of the Task Force estimate that a new 400-bed maximum security unit, projected within the next five years beginning in 1972, will cost over $12,000,000 or $30,000 per bed. The following figures from the Chief of the Office of Facility Development, Federal Bureau of Prisons were used by the Task Force to indicate the expected cost of different facilities:

Maximum Security Facilities	$30,000 per bed
Minimum Security Facilities without programs	12,000 per bed
Community Corrections Centers with programs	15,000 per bed

Replacement of the existing correctional institutions with the traditional type facility would involve only state and local funds. By moving in the direction of community corrections centers, the State would be able to take advantage of federal funds of the Law Enforcement Assistance Administration which are earmarked specifically for the construction of these facilities (75% federal contribution; 25% state contribution).

In an effort to develop a state-wide community correction system , initial steps have been taken to establish demonstration models. The Task Force has recommended three model community corrections projects be established as soon as possible. This will require the following construction:

a)	A County Model	- Prince George's County	$1,500,000
b)	An Urban Model	- Baltimore City	1,500,000
c)	A Regional Model	- Wicomico, Somerset and Worcester Counties	1,500,000
		Total Estimated Construction Cost	$4,500,000

Article 27, Section 706, of the Annotated Code of Maryland is the enabling legislation that grants power to the Commissioner of Correction to acquire by lease or purchase any facility for use as a community corrections center with the approval of the Secretary of Public Safety and Correctional Services and the local governing authority. The purpose of the facility is to house and rehabilitate offenders sentenced by the courts regardless of the length of sentence imposed. Using this authority, the Task Force is currently working to establish the demonstration models.

Correctional Training Commission

Systematic training of correctional personnel is not a common occurrence. However, in early 1967, state and county correction officials met to discuss the feasibility of including correctional personnel in police training programs. Although there is overlapping in training needs, it was determined that separate curricula had to be developed to meet the needs of correctional personnel. It was not until the 1971 Session of the General Assembly that the Correctional Training Act, Senate Bill 179, was passed and incorporated as Section 70B, Article 41, of the Annotated Code of Maryland.

Administratively, the Police Training Commission and Correctional Training Commission have been merged. This procedure was instituted to eliminate duplication of organization, function, and staffing and yet, the separation of the two Commissions is preserved.

The Correctional Training Act provides that the Commission consist of eight ex officio members who serve personally (Deputy Secretary for Correctional Services; the Director of the Division of Parole and Probation; the Commissioner of Correction; the President of the Maryland Community Correctional Administrators Association; the President of the Maryland Sheriff's Association; the President of the Maryland Probation, Parole and Correction Association; the Chief, Jail Inspection Services, Federal Bureau of Prisons; the President of the Baltimore City Jail Board) and three appointive correctional, parole or probation officials of the State to be appointed by the Secretary of Public Safety and Correctional Services, with the approval of the Governor. The Deputy Secretary for Correctional Services is designated by the law as the Chairman. A Vice-Chairman is elected

from the membership annually.

A basic assumption is that extensive training and retraining of personnel at all levels of the correctional hierarchy would have to take place. However, funds and the personnel to accomplish the requirements imposed upon the Commission through the legislation, which included establishing a training school, were not available. It was only because of a grant from the Governor's Commission on Law Enforcement and the Administration of Justice that the Training Commission was able to establish a Training Academy in August, 1971.

The initial plan for the Academy was to establish it as an arm of the newly created Training Commission. During FY-72, the general objective of the Academy was to enable the Training Commission to achieve its goals as set forth in the law. The general objective can be broken down into specific goals, namely:

a) To improve the problem solving skill of top administrators.

b) To train potential trainers in the training process, curriculum development, and instruction.

c) To design curricula and training materials for correctional officers, parole-probation agents, and classification counselors.

d) To train 1,000 correctional personnel for a period of five days.

Since the inception of the Training Commission as of July 1, 1971, the emphasis of the Commission has been to train potential trainers in order to acquire in-house capability to conduct all training mandated by the Training Commission, develop the curricula and determine course content, and to conduct special training programs for supervisory personnel, high administrative officials, correctional officers, and parole-probation agents. At

the same time, the Commission has established minimum standards of training for correctional officers. All state, county and municipal personnel classified or designated as correctional officers, parole-probation agents and officers, and classification counselors and officers employed on or after January 1, 1973 must complete a Minimum Standards Entrance Level Training Course within one year of their employment. Such employees are not required to complete the course prior to actually working in a correctional unit.

At present, two different courses have been established. The correctional officers course is designed to fit a four week schedule while the parole-probation agents and classification counselors course is designed to fit a five week schedule.

Because of the scope of the training problem, all correctional personnel included in the law will not receive mandatory entrance level training, only the three classes of employees mentioned above will receive such training. The Commission, through the Training Academy, is concentrating its initial efforts at curricula development for the three classifications of personnel considered to have the most direct contact with persons who are incarcerated or under parole or probation supervision. Formal training for other persons will be forthcoming in future years.

The Maryland Police and Correctional Training Commissions are combined for administrative operations. Because of this organizational arrangement, the budgets for both are included in one (see Table X, page 36). However, most of the Correctional Training Commission's programs are financed through federal grants from the Governor's Commission on Law Enforcement and the Administration of Justice and do not appear in the budget as set forth

TABLE X

TABLE X

MARYLAND POLICE AND CORRECTIONAL TRAINING COMMISSIONS BUDGET

		FY 73 Actual	FY 74 Appropriation	FY 75 Request
.01	Salaries and Wages	$124,417	$143,148	$188,987
.02	Technical and Special Fees	3,917	13,028	8,154
.03	Communications	3,284	4,375	4,525
.04	Travel	2,425	5,350	4,800
.06	Fuel and Utilities	515	421	900
.07	Motor Veh. Operations and Maintenance	1,397	1,170	1,300
.08	Contractual Services	7,845	33,100	1,058
.09	Supplies and Materials	8,472	8,700	8,300
.10	Equipment Replacement	1,925	--------	--------
.11	Equipment Additional	2,189	8,815	915
.13	Fixed Charges	8,150	10,161	12,243
	Total Expenditures	$164,536	$228,268	$231,182
	General Fund Approp.	$140,556	$181,182	$231,182
	Special Fund Approp.	$ 23,980	$ 47,086	--------

Note: The figures contained above are the totals for the Police and Correctional Training Commissions. Since both Commissions are combined for administrative operations, the budgets for both are included in one.

Source: Maryland Correctional Training Commission, Second Annual Report, July, 1, 1972 - June 30, 1973.

in Table X. The actual operating budget for the Correctional Training Commission is made up of federal grants and state matching funds that comprise both direct cash payments and in-kind services as shown in Table XI on page 38. Funds that come directly from the Police and Correctional Training Commission's general fund budget and are used for correction training are estimated to be as follows:

	FY-72	FY-73	FY-74
Salaries	$22,894	$42,153	$47,700
Travel	300	780	300
Telephone	615	515	515
Total from combined Budget	$23,809	$43,488	$48,515
Correctional Training Commission Total Budget	$301,800	$251,800	$246,064

According to correction officials, two major problems continue to hinder the program. First, when a correctional officer attends the training programs, a replacement to fill his post is required. Since the system is not fully staffed, a replacement has to be a permanent employee working overtime at time and one-half pay. The expense of overtime has made it impossible for the Division of Correction to allow correctional officers to attend training programs.

Second, the Training Academy lacks training facilities. Training operations are conducted at state facilities where available. It is the feeling of training officials that the facility problem will be greater as expanded Academy training programs become a reality. However, the Governor's Commission on Law Enforcement and the Administration of Justice is currently

TABLE XI

CORRECTIONAL TRAINING COMMISSION

Federal Grant Budgets

	FY 72			FY 73			FY 74		
	Federal	Local	Total	Federal	Local	Total	Federal	Local	Tot
Personnel	$ 8,167	$ 67,687	$ 75,854	$-------	$ 48,105	$ 48,105	$ 48,227	$101,827	$150,054
Equipment	11,968	1,711	13,679	$ 3,941	-------	3,941	5,245	1,748	6,993
Consultant & Contractual	139,316	375	139,691	150,421	-------	150,421	410	136	546
Travel	51,625	5,612	57,237	28,113	780	28,893	43,808	14,602	58,410
Consummables	5,443	-------	5,443	8,340	-------	8,340	14,632	4,877	19,509
Rent	-------	5,600	5,600	-------	5,600	5,600	-------	5,600	5,600
Other	3,681	615	4,296	5,985	515	6,500	3,714	1,238	4,952
	$220,200	$ 81,600	$301,800	$196,800	$ 55,000	$251,800	$116,036	$130,028	$246,064

Note: The budget for FY 74 includes all funds requested to date. Approximately $120,000 in Federal funds are still programmed for use by the Commission for the development and implementation of supervisory and management training.

Source: Maryland Correctional Training Commission, Second Annual Report, July 1, 1972 - June 30, 1973.

studying the feasibility of a central Criminal Justice Training Center that would provide training for all components of the Criminal Justice System. If this study demonstrates the need for such a center, the Correctional Training Academy would be incorporated within it.

Board of Parole

Parole, as a conditional release from imprisonment, has evolved over the years through much legislative activity. A major change occurred in 1953, as a result of the work of the Commission on Administrative Organization of the State (Sobeloff Commission). In that year, legislation was enacted creating a Department and Board of Parole and Probation that consisted of a full-time Chairman and two part-time Associate Members. The Board was given full and exclusive power and authority to grant and revoke paroles with three exceptions: (1) prisoners serving life sentences, (2) a second or third offender in violation of the Narcotic Drug Act, and (3) those persons convicted and committed as defective delinquents.

As of January 1, 1969, a Board of Parole and a Division of Parole and Probation were established as separate entities with each agency having its own head. In 1970, as part of the reorganization of the many agencies in the state government, both the Board of Parole and the Division of Parole and Probation were located within and established as part of the newly created Department of Public Safety and Correctional Services.

The Board of Parole operates under the provisions of Article 41, Sections 107 through 114, of the Annotated Code of Maryland. According to Section 108 of this Article, the Board of Parole consists of a Chairman and six Associate Members. Members are appointed for terms of eight years each

by the Secretary of Public Safety and Correctional Services with the approval of the Governor and with the advice and consent of the Senate of Maryland. The Chairman of the Board is designated from time-to-time by the Secretary of Public Safety and Correctional Services with the approval of the Governor.

Exclusive power is given the Board to hear cases for parole release and revocation and to authorize the parole of persons sentenced to any penal or correctional institution, jail, or any other place of confinement or detention. At least two members of the Board are required to be present for the hearing of all cases for parole release and revocation, and the concurrence of at least two members of the Board is required for any action.

In addition to determining whether a prisoner is suitable for release on parole, the Board is also authorized to:

a) Evaluate information on the activities of parolees as reported by the Division of Parole and Probation and to issue warrants or to delegate the issuance of warrants to the Director of the Division for the retaking of parolees.

b) Make recommendations to the Governor concerning persons whose applications for pardon or commutation of sentence or clemency have been investigated and reported to the Board by the Division of Parole and Probation.

c) Establish and modify general policy governing the conduct of parolees.

d) Arrange, in its discretion, psychiatric or psychological examination of applicants for parole, when it is felt such examination will better enable it to decide on the advisability of parole.

In FY-73, the Board operated on a budget of $246,955 or a 7% increase over the previous year. During that same year, the Board heard 5,297 inmates and granted paroles to 2,397 of them. Additional financial and parole hearing information is as follows:

Board of Parole

Fiscal Years	Total Expenditure	% of Increase	Clients Heard by Board	Paroles Granted
70	$ 152,674	--	5,904	2,838
71	195,094	27.8	5,531	2,587
72	230,412	18.1	5,088	2,348
73	246,955	7.1	5,297	2,397
74	255,186 (a)	3.3	5,550 (c)	2,475 (c)
75	270,667 (b)	6.0	5,700 (c)	2,565 (c)

(a) Appropriated

(b) Allowed

(c) Estimated

The change in 1969 from three part-time members to seven full-time members has enabled the Board to increase the number of inmates heard each year. However, the Board still lacks the time and staff to adequately review all parole applications and hear the individual's case; power to prescribe rehabilitation programs for individuals who need additional training before being granted parole; and power to deal with the basic changes needed in the institutions before programs can be effective in preparing the individual for a new role in society.

In making the many decisions regarding granting or denying parole and other matters that are of utmost importance to individuals on parole, the Board of Parole cooperates with and utilizes the information supplied by

the Division of Parole and Probation. The subsequent pages will be used to describe the activities of the Division of Parole and Probation.

Division of Parole and Probation

In compliance with Article 41, Section 115, of the Annotated Code of Maryland, the Division of Parole and Probation was created and is part of the Department of Public Safety and Correctional Services. The Division is headed by a Director who is appointed by the Secretary of Public Safety and Correctional Services with the approval of the Governor of Maryland and by and with the advice and consent of the Senate. The term of the Director is indefinite but service is at the pleasure of the Secretary.

The Division of Parole and Probation is charged with the responsibility of providing aid to the Courts and Board of Parole in making their decisions as to whether to commit or supervise an individual convicted of a crime. Specifically, the Division has a legal mandate to perform the following activities:

a) To supervise the conduct of parolees and regularly inform the Parole Board as to their activities.

b) To recommend that the Board issue warrants for the retaking of parolees.

c) To issue warrants for the retaking of parolees, after having been delegated this authority by the Board.

d) To conduct investigations for use of the Board of Parole in deciding advisabiltiy in granting paroles.

e) To make investigations and supervise inmates released in accordance with Mandatory Release Law.

f) To provide pre-sentence reports or other investigations in all cases when requested by any judge.

g) To supervise, upon request of the courts, persons on probation or with suspended sentences.

h) To perform any other probationary services as the judges may request.

i) To make investigations and reports to the Governor concerning persons applying for pardon, commutation of sentence or clemency.

j) To make investigations required by the Uniform Act for Out-of-State Parole Supervision and to accept supervision when feasible.

k) To make investigations, reports and recommendations regarding applications for review of criminal sentences.

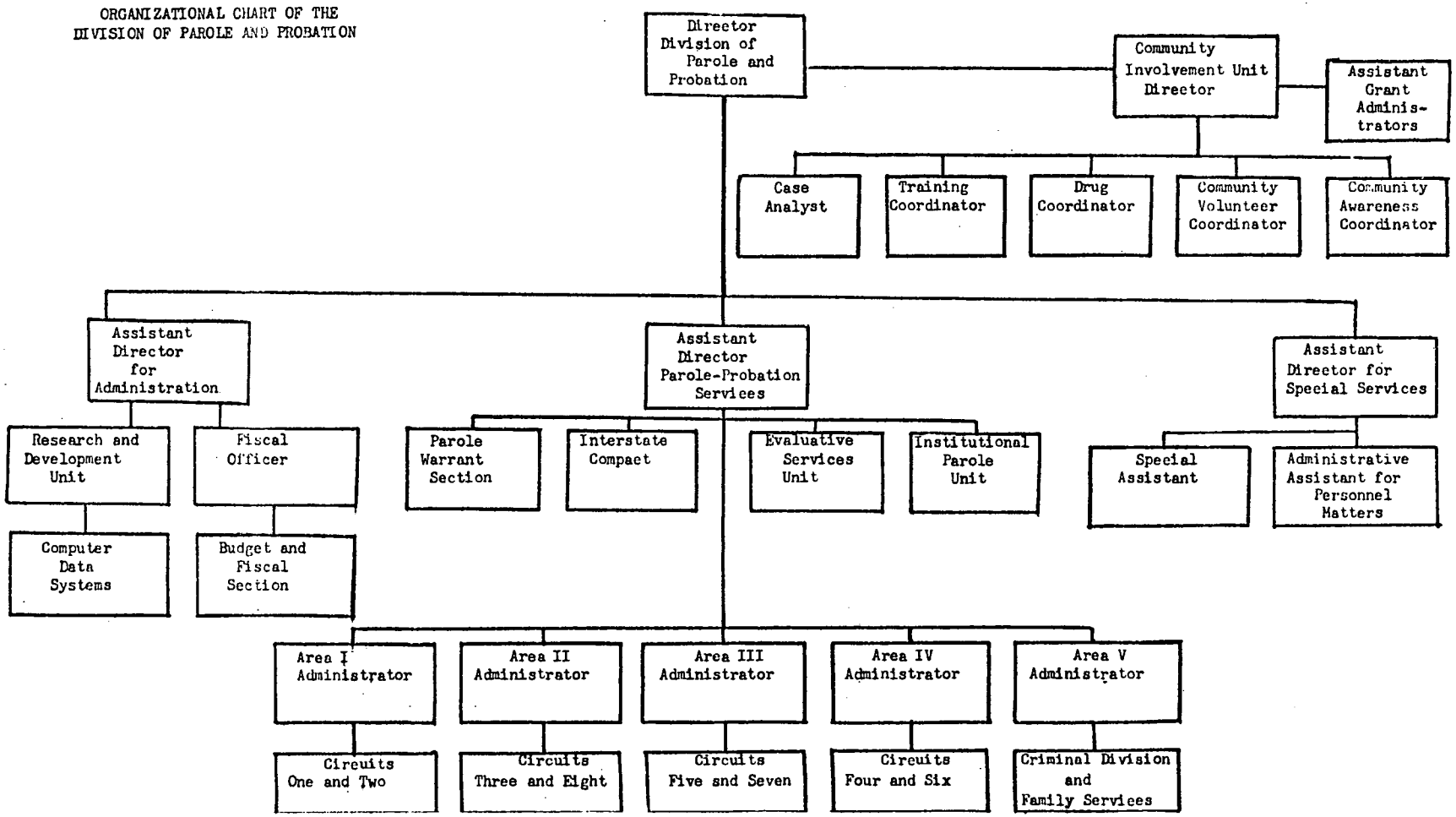
l) To make investigations as required to assure the best possible adjustment of offenders about to be released on parole.

Organizationally, the Division can be divided into two groupings--administrative and field (see Chart 3, page 44). Administratively, the emphasis of the executive staff is on decision-making, establishing administrative and program goals, and directing the Division toward its highest potential of effectiveness. It has been suggested through a report by the Division that it has made great progress over the past two years concerning the establishment of program goals, standardizing agency policy, and creating uniform guidelines of operation. At the same time, the Division has placed increased emphasis upon researching new techniques of treatment and operation, analyzing the present administrative and service delivery systems, and making appropriate changes and modifications in the programs.

CHART 3

CHART 3

ORGANIZATIONAL CHART OF THE
DIVISION OF PAROLE AND PROBATION



In addition to the central administrative staff, the Division is organized on a basis that provides for five area administrators who function as managing officers for the Division's activities throughout the State and as liaisons between the administrative body and field personnel. These five administrative areas of the State are divided into circuits, based upon the State Judicial Circuits, with each circuit headed by a supervisor. Several field offices are located in each circuit. It is the field agent at this level who is responsible for actual personal contact with the parolees and probationers and for the direct services of investigation for the Courts and Board of Parole and for supervision of the offender.

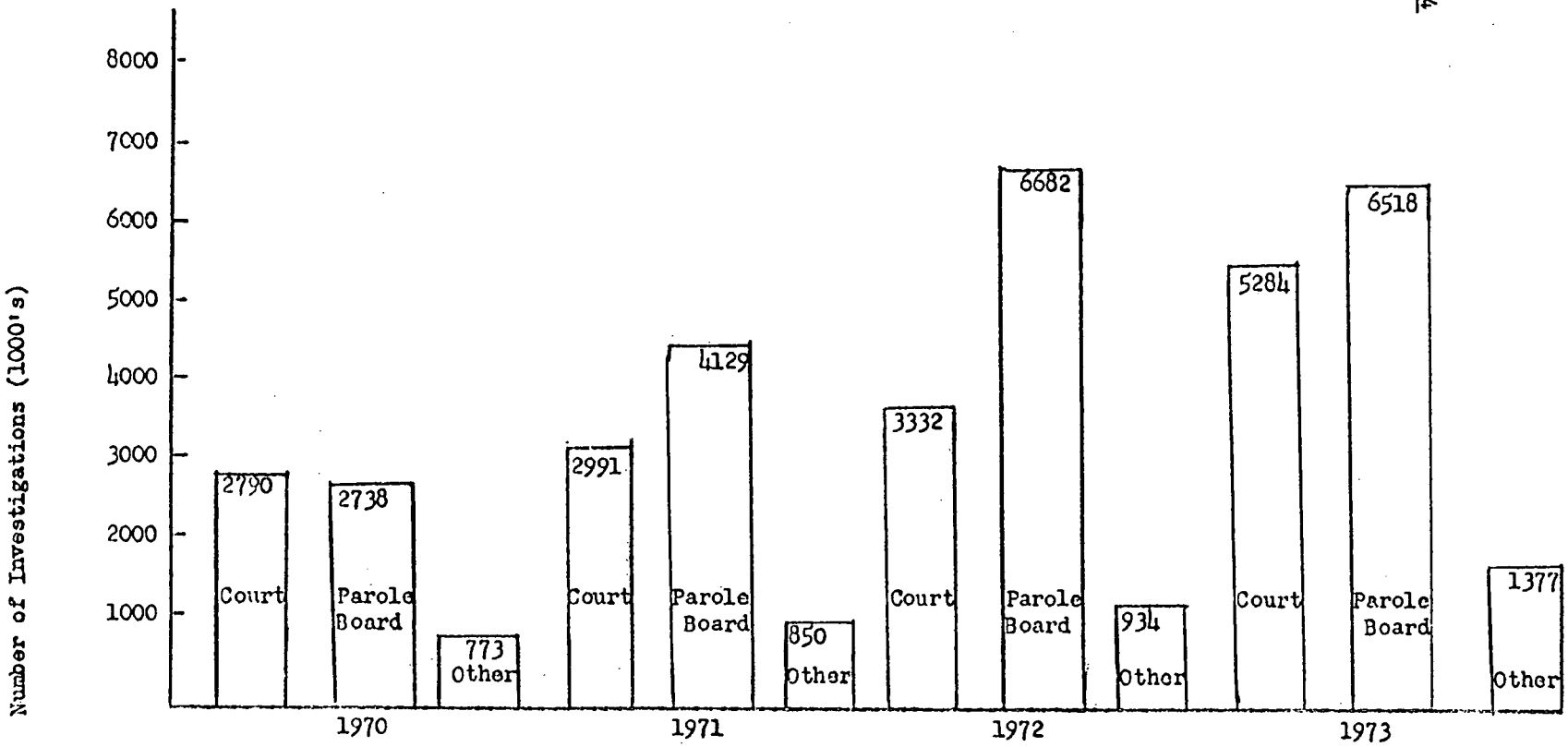
Within the confines of available revenue and trained personnel, the Division of Parole and Probation seeks to accomplish a number of tasks directly related to the criminal justice system. Two major activities of the Division are carrying out investigations and supervising offenders either on parole or probation.

a) Investigative Services.--One major activity to which a parole and probation officer devotes much of his time is in investigations. Investigations of individuals in a pre-trial, post-trial or incarcerated state result in reports that are necessary to enable the Governor, the Courts, the Board of Parole, and other authorities entitled to the services of the Division to make their determinations and adjudications (see Chart 4, page 46). These investigations usually focus upon the social, criminal and psychological history of individuals convicted of crime.

A wide variety of investigational services are provided to

CHART 4

DIVISION OF PAROLE AND PROBATION INVESTIGATION ACTIVITY
IN FISCAL YEARS 1970, 1971, 1972, 1973



Court Investigations: Pre-sentence, Post-sentence, Pre-disposition, Special Court

Parole Board: Pre-hearing, Mandatory Release, Pre-release, Executive Clemency, Home & Employment

Other: Interstate Background, Interstate Home & Employment, Special Department

Source: Division of Parole and Probation

the Courts and Board of Parole. For example, a pre-sentence investigation is designed to provide the requesting judge with all available social, criminal, psychological, and background information on the defendant he is preparing to sentence. In addition to developing an evaluation of the defendant, the investigative report also contains a recommendation with regard to sentencing. The possibility always exists that the report may aid the correctional personnel in planning a rehabilitative program for the individual incarcerated. Unfortunately, 75% of the sentences imposed by the Circuit Courts of the State are carried forth without the benefit of a complete pre-sentence investigation and evaluation by the Division's agents.

With the inception of the Maryland District Court System, additional investigative responsibility has been placed upon the Division. Rules of the District Court state that defendants charged with an offense not punishable by death shall be released pending trial on personal recognizance unless the possibility exists that he would not attend his trial. In many cases, the Court may order a pre-trial investigation by the Division to determine whether to release an individual. Often the Division assumes supervision of the subject until trial. This activity has placed an increased burden upon the Division and raised the question of whether pre-trial supervision is a proper as well as a legally constituted rule.

b) Supervisory Services.--The supervision of offenders either on parole or probation constitutes another major activity of the

Division of Parole and Probation. In the process of supervising a parolee and his activities, it is hoped that the individual will be rehabilitated and properly acclimated to a new life that excludes criminal activity.

Over the years, the case load of the Division has steadily increased placing additional strains upon the financial and manpower resources of the Division. Continued overcrowding at the State Correctional Institutions forces alternative methods, such as parole and probation to be utilized in order to make room in the institutions for individuals who pose a real threat to society.

The mandatory release program was enacted into law during the 1970 Session of the General Assembly and also affects the work load of the Division. The law provides that any person sentenced after July 1, 1970 to the jurisdiction of the Division of Correction and having served his term (less deductions for good behavior and industrial credit) is released as if on parole under the supervision of the Division of Parole and Probation until expiration of the maximum term of sentence. According to a report by the Division, 384 persons were released in FY-71, the first year of operation for the program. In FY-72, a total of 723 individuals were released (an increase of 70%), and in FY-73, a total of 731 were released.

Accompanying the increased workload of the Division of the past four years has been a significant increase in financial support and manpower (see Chart 5, page 49). Between FY-70 and FY-73, the budget has more than

CHART 5

BUDGET AND PERSONNEL ACTIVITY AND PERCENTAGE INCREASE OF EACH FOR FISCAL YEARS 1970, 1971, 1972, 1973 *

	1970		1971		1972		1973	
	Number	Percent Increase	Number	Percent Increase	Number	Percent Increase	Number	Percent Increase
State Budget Allotment (Fiscal Year)	2,454,345	39%	3,217,066	31%	4,402,853	37%	5,035,605	14%
Total Agency Personnel (Fiscal Year-End Authorized Positions)	270	3%	334	24%	461	38%	537	16%

	1974 Appropriations		1975 Allowance		
	Number	Percent Increase	Number	Percent Increase	
State Budget Allotment (Fiscal Year)	7,307,668	45%	8,256,019	14%	
Total Agency Personnel (Fiscal Year-End Authorized Positions)	638	18%	700	10%	

* State budget allotments do not include LEAA funds for FY-72 of $249,858, FY-73 of $364,950, or FY-74 of $896,877.

SOURCE: Division of Parole and Probation.

doubled. In FY-72, the Division received six agents, approximately 600 cases, and a budget increase of $50,000 from the Montgomery County Court. As of July 1, 1973, responsibility for operating the Probation Department of the Supreme Bench of Baltimore City and the Prince George's County Probation Department was transferred to the State. Baltimore County is the only local jurisdiction that still operates and maintains its own probation department.

While fiscal and personnel changes have been substantial over the past few years, concern has been expressed about the high and consistently increasing caseload. Chart 6 on page 51 shows that except for FY-71, the average caseload per agent has increased. In that year, the caseload increased by 15% but the total number of agents increased by 45%. This personnel increase accounted for the reduction in the average caseload for that year.

Incarceration of individuals in large institutions is extremely expensive in comparison to the cost of parole and probation supervision. The average per capita cost to maintain an individual in a correctional institution for one year is in excess of $4,000. This is in contrast to a cost of $200 to supervise the same individual for the same period of time on probation. Additionally, while rehabilitative programs are limited in the correctional institution, under present conditions, parole and probationary service offers the following advantages:

a) Maximizing the liberty of the offender while at the same time vindicating the authority of the law.

b) Assisting in the rehabilitation of the offender by continuing his normal community contacts.

CHART 6

CASELOAD, PRE-SENTENCE INVESTIGATION, AVERAGE CASELOAD PER AGENT
* TOTAL NUMBER OF AGENTS IN FISCAL YEARS 1970, 1971, 1972, 1973

	1970		1971		1972		1973	
	Number	Percent Increase	Number	Percent Increase	Number	Percent Increase	Number	Percent Increase
Total Supervision Caseload (Fiscal Year-End)	18,085	19%	20,717	15%	23,022	11%	28,853	20%
Pre-Sentence Investigation Caseload (Total for Fiscal Year)	2,050	5%	2,191	7%	2,700	23%	4,615	41.5%
Average Caseload Per Agent Assigned to Supervision	118	14%	93	27%	121	30%	149	19%
Total Number of Agents	153	3%	222	45%	257	16%	267	4%

* These figures do not include agents assigned to Investigation or to special activities such as intake interviewing and institutional parole agents.

SOURCE: Division of Parole and Probation.

c) Avoiding the negative side effects of confinement in a necessarily regimented environment and confinement among criminally skilled individuals.

d) Minimizing the impact of the conviction on innocent dependents of the offender by allowing him to continue functioning in his proper family role.

e) Maintaining the advantage to society of the taxes and services provided by an ex-offender who is successfully maintaining worthwhile employment in the community.

The Division of Parole and Probation has expanded its activities through increased fiscal and manpower resources. According to a report from the Division, more offenders are under its jurisdiction than under the Division of Correction or any other agency of the Department of Public Safety and Correctional Services. Continued expansion of the Division has provided it with the opportunity to have a major and positive impact on the control and rehabilitation of criminal offenders throughout the State. Whether additional diversions[1] for pre-trial, post-trial, or incarcerated individuals will be instituted for implementation by the Division has not been clearly established.

Patuxent Institution

In 1955, the Patuxent Institution for defective delinquents, authorized by Chapter 467, Laws of Maryland, 1951, was opened formally under the

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[1]The term diversion as used in this context means the provision of alternative ways of handling individuals at some point in the criminal justice process between and including pre-trial detention and incarceration.

administrative control of the Division of Correction. According to Article 31B, Section 5, of the Annotated Code of Maryland, a defective delinquent is defined as "an individual who, by the demonstration of persistent aggrivated antisocial or criminal behavior, evidences a propensity toward criminal activity, and who is found to have either such intellectual deficiency or emotional unbalance, or both, as to clearly demonstrate an actual danger to society so as to require such confinement and treatment, when appropriate, as may make it reasonably safe for society to terminate the confinement and treatment."

In 1961, the status of Patuxent Institution was changed and it became an autonomous agency of the State under the control of the Board of Patuxent Institution. As a result of the reorganization of the many departments, agencies, boards and commissions of the State, the Institution was established as part of the newly formed Department of Public Safety and Correctional Services, in 1970.

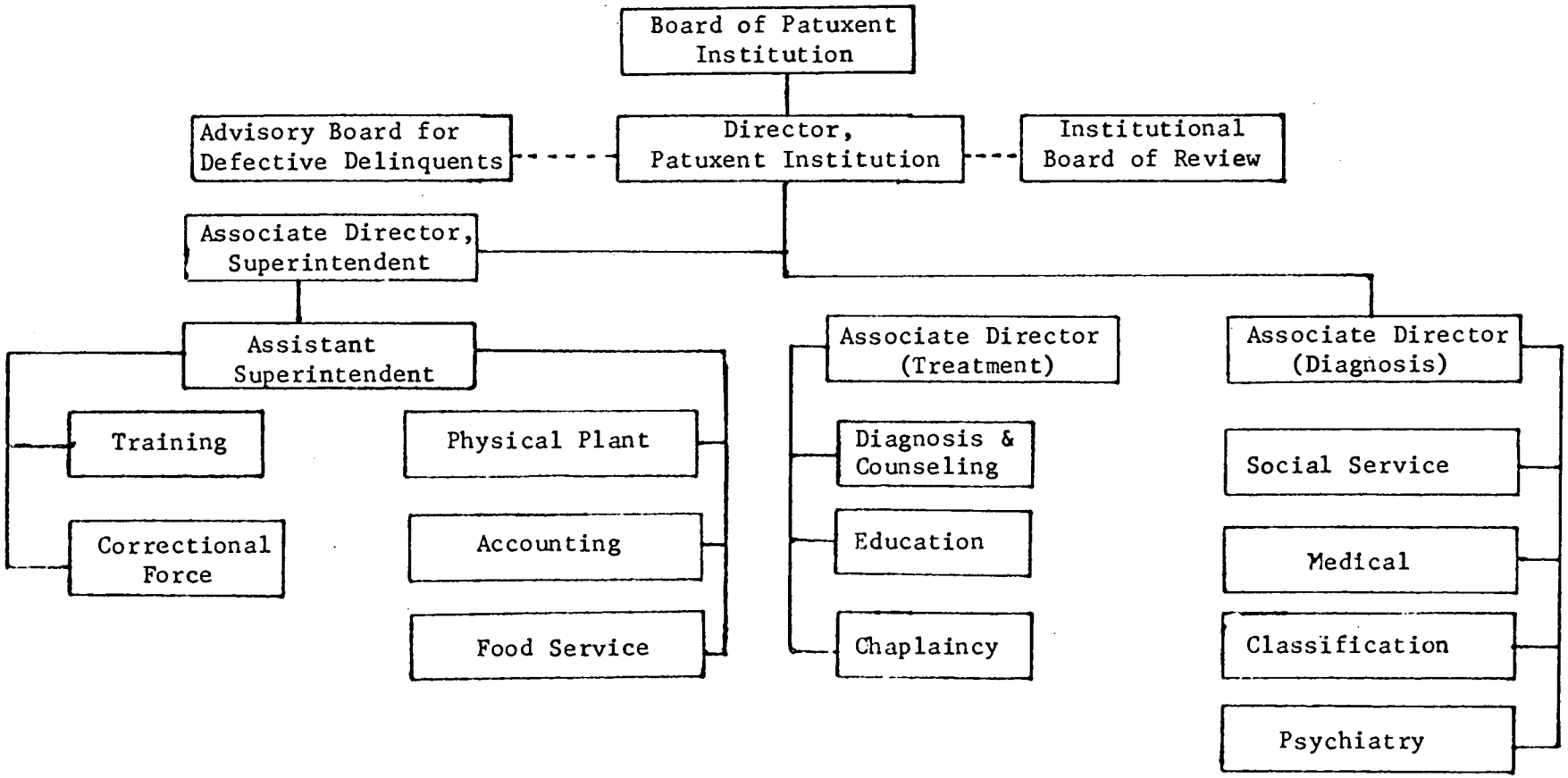
Patuxent is controlled, at the operating level, by a Board composed of a chairman and four associate members of the Board who serve terms of four years (see Chart 7, page 54). Members of the Board are appointed by the Secretary of Public Safety and Correctional Services with the approval of the Governor and with the advice of the Senate. The Board is responsible to the Secretary of Public Safety and Correctional Services. Institutional policy concerning the management, control, and supervision of Patuxent is determined by the Board.

Located on 120 acres in Jessup, Maryland, Patuxent is a maximum security institution comprised of six buildings. Operating under the provisions of Article 31 B of the Annotated Code of Maryland, the primary

CHART 7

PATUXENT INSTITUTION
ORGANIZATION CHART

1972



SOURCE: Maryland Governor's Commission on Law Enforcement and the Administration of Justice, Comprehensive Plan 1973.

goal at the Institution is the protection of society through the identification of a special class of dangerous offenders known as defective delinquents from a selected group of adult criminal offenders. In order to do this, the Institution is directed by a psychiatrist and staffed with a large number of psychiatrists, psychologists, and social workers.

Patuxent has some vocational rehabilitation facilities, a school, a work-release program, and its own halfway house. The average stay of an individual is between four and five years or nearly twice the average for persons committed to the Division of Correction. To operate the Institution, funds in the amount of $5,262,236 were appropriated for FY-74. For further financial information concerning Patuxent Institution, see Table XII, page 56.

Inmate Grievance Commission

The Inmate Grievance Commission was created in 1971 and established as a separate agency within the Department of Public Safety and Correctional Services. The purpose of the Commission is to provide an opportunity to any person confined to an institution within the Division of Correction, or otherwise in the custody of the Commissioner of Correction, or confined to the Patuxent Institution, to be heard regarding grievances or complaints against officials or employees of these institutions.

The Commission consists of five members appointed by the Governor with the advice of the Secretary of Public Safety and Correctional Services. A chairman is designated, from time to time, by the Governor with the advice of the Secretary of Public Safety and Correctional Services.

When a grievance or complaint is submitted to the Commission, a

TABLE XII

PATUXENT INSTITUTION

FINANCIAL DATA

FY-67 THROUGH FY-74 *

	PERSONS	EXPEND. ($1000)	PER CAP. ($)	SERVICE (1973$)	% INCREASE PERSONS	SERVICE	PRICE	EXPEND.
1967	480	2690.247	5605.	7259.	.0	.0	.0	.0
1968	488	3138.429	6431.	8052.	1.7	10.9	3.4	16.7
1969	497	3426.354	6894.	8251.	1.8	2.5	4.6	9.2
1970	509	3920.904	7703.	8682.	2.4	5.2	6.2	14.4
1971	550	4396.494	7994.	8564.	8.1	-1.4	5.2	12.1
1972	494	4708.754	9532.	9880.	-10.2	15.4	3.4	7.1
1973	388	4782.879	12327.	12327.	-21.5	24.8	3.7	1.6
1974	420	5262.236	12529.	11428.	8.2	-7.3	9.6	10.0

Source: Fiscal Planning section of the Maryland Department of Budget and Fiscal Planning.

* For an explanation of Table see page 9, last paragraph.

determination is made by the Commission, any member, or the executive director as to what action should be taken on the complaint. If after the preliminary review, the complaint is found to have merit, the Commission would hold a hearing on the grievance or complaint as promptly as possible. At least three members of the Commission have to sit at any hearing, and decisions have to be by a majority of those sitting.

According to Article 41, Section 204 F (f), the Commission's decision on any grievance or complaint shall be issued promptly after the hearing in the form of an order which shall include a statement of the findings of fact, the Commission's conclusions, and its disposition of the complaint. The types of disposition shall be as follows:

a) If after the hearing, the Commission finds in its order that the complaint is wholly lacking in merit and should be dismissed, such an order of dismissal shall be promptly forwarded to the complainant and shall constitute the final decision of the Secretary of Public Safety and Correctional Services for purposes of any judicial review.

b) However, if after the hearing, the Commission in its order finds that the inmate's complaint was in whole or in part meritorious, such order shall be promptly forwarded to the Secretary of Public Safety and Correctional Services. Within fifteen days of the receipt of such an order, the Secretary by order shall affirm the order of the Commission, or shall reverse or modify the order where he disagrees with the findings and conclusions of the Commission. The Secretary shall order that the appropriate official of the institution in question accept in whole or in part the

recommendation of the Commission or the Secretary may take whatever action he deems appropriate in light of the Commission's findings. The order of the Secretary shall be promptly forwarded to the complainant, and the Secretary's order shall constitute the final decision for purposes of judicial review.

For the purposes of examination, the Commission, with approval of the Secretary of Public Safety and Correctional Services, has access to and the right to copy any documentary evidence of any person or institution being investigated. The Commission may also subpoena the attendance and testimony of witnesses and the production of all documentary evidence of any person relating to any matter under investigation.

During FY-72, the Commission's first year in existance, members of the Commission received 375 grievances and complaints and had an operating budget of $53,004. For FY-74, the Commission expects to receive about 744 grievances and complaints. Budget appropriation for the same year is $102,220. Additional budget information concerning the Commission is as follows:

Years	Number of Grievances and Complaints	Expenditure
FY-72	375	$ 53,004
FY-73	612	$ 91,373
FY-74	744 Estimated	$102,220 Appropriated

Sundry Claims Board

Article 41, Section 188 A, of the Annotated Code of Maryland, established the Sundry Claims Board in 1961. The Board was created for the

purpose of administering benefits whenever an inmate in the Patuxent Institution or institutions under the Division of Correction, (1) is engaged in any extrahazardous work for which wages or a stipulated sum are paid by an institution, (2) sustains a permanent partial or permanent total disability as a result of an injury, and (3) this disability incapacitates the individual or materially reduces his earning power in his work.

An injured individual has the right to file a claim for compensation with the Sundry Claims Board within twelve months after his release from an institution but not before his release. The Board consists of the Attorney General or his representative, the Comptroller or his representative, and the Secretary of Public Safety and Correctional Services or his representative. One of the members is designated chairman by the Governor.

Action that the Board may take after an investigation of any claim includes approval of the claim, approval but with conditions and limitations, or disapproval altogether of the specific claim. Any claimant aggrieved by a final determination of the Board may appeal to the Circuit Court of the County or Common-Law Court of Baltimore City where the injury occurred or the claimant resides. Either party involved in the claim proceeding has a further right of appeal to the Court of Appeals.

Payments of claims vary from year to year. For example, in FY-73, approximately $2,900 were paid in claims while $18,130 were paid during FY-72. In order to underwrite the payments of claims, the Department of Public Safety and Correctional Services budgets $20,000 each year.

CORRECTION AT THE LOCAL LEVEL

As previously indicated, correction at the local level is confined to twenty-two counties[1] and Baltimore City. Municipalities (towns and cities) generally maintain facilities, such as lockups, to detain an individual until the person can be transported to a larger facility--usually the county jail. Jails are operated and supported by the counties and Baltimore City. According to the Governor's Commission on Law Enforcement and the Administration of Justice, the twenty-two jails in the counties and Baltimore City have a combined capacity of 3,406 persons. Traditionally, local jails in Maryland have been and continue to be used for holding both suspected offenders awaiting trial and individuals serving sentences up to eighteen months in length.

Article 87, Sections 45 and 46, of the Annotated Code of Maryland establishes that the Sheriff is to be responsible for the safeguarding and custody of persons committed to a county jail. However, Section 48, of the same Article provides that "where any county has adopted a charter under Article XI-A of the Constitution of Maryland, the county council of such county may by resolution, ordinance or local law provide for the appointment of a qualified person to act as jailer or warden of the county jail, together with such qualified assistants as may be necessary to perform the duties of such office." Nevertheless, the Sheriff's duties and power with respect to the custody of all prisoners in home rule counties is not affected.

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[1]Carroll County Jail was condemned on March 19, 1968 and closed on September 16, 1968. The County has contractual arrangements with other jurisdictions.

The Sheriff, in eighteen counties, is responsible for the operation of the jail in those local governments. In Montgomery County, the jail is operated under the authority of the Department of Correction and Rehabilitation. The Board of County Commissioners of St. Mary's County controls the jail. The City Jail Board has authority to operate the Baltimore City Jail, while the County Police Departments in Baltimore and Anne Arundel Counties are in charge of operating the jails.

Local jails and detention centers are directly affected by the activities of the Jail Programming and Inspection Officer. The position of Jail Programming and Inspection Officer (hereafter referred to as Inspection Officer) was created under the provision of Article 27, Section 704, of the Annotated Code of Maryland and is part of the State Division of Correction. The Inspection Officer, with the approval of the Division of Correction, develops the minimum standards for jail, and other places used for detention or confinement of offenders against the law. These standards include but are not to be exclusive of such items as security precautions, housing and sanitation facilities, food services, custodial personnel and administrative reporting, including periodic prisoner population and status reports to State's Attorneys and Judges of the Circuit Court.

In accordance with the law, the Inspection Officer is required to inspect, on an annual basis, the regional detention[1] and correctional centers of the several county and Baltimore City jails. A report of the inspection results is to be submitted to the governing bodies of the several counties and the Mayor and Council of Baltimore City showing the

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[1]A regional detention center is defined as a facility operated by one or more counties for the purpose of detention and confinement.

results of such inspection together with recommendations as to any improvements or construction that should be made. In the event the Inspection Officer finds that the facilities do not meet the minimum standards, copies of the report and recommendations are forwarded to the governing body of the political subdivision as well as the State's Attorney and Circuit Court Judges for that governmental unit. If deficiencies are not substantially corrected within 180 days, the Inspection Officer may order the facility closed and individuals transferred to another jail.

The law also provides that the State, through the Board of Public Works, shall make provision for paying one-half of the cost of such construction of improvements. According to correctional officials at both the state and local levels, this portion of the law has seldom been implemented. Two reasons have been given to explain this. First, it was mentioned that state funds have not been made readily available for the purpose of sharing the cost of financing improvements in local correctional facilities. Second, it was suggested that a standard procedure to accomplish the sharing of expenses to improve the local jails has not been developed. The basic reason given for the absense of a specific procedure is that few localities have requested the State to finance one-half of the cost of a particular project[1]

Over the past several years, the Inspection Officer has suggested that as many as twelve local jails closed because they could not meet minimum standards. All facilities in question are said to be antiquated county

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[1]Montgomery County and Prince George's County are in the process of applying for state assistances for local jail construction and renovation.

facilities with highly impersonal and authoritarian approaches to the persons confined. Rather than attempt to improve and maintain these questionable facilities, a smaller community correctional type facility or a regional jail have been suggested as proper alternatives in dealing with correctional problems at the local level.

The situation that presently exists in a number of local jurisdictions is as follows:

Allegany County - Population 84,044 [1]

The Allegany County Jail is operated and maintained by the Sheriff and his staff of seventeen. Four of the members of the Sheriff's staff have attended training programs conducted by the State Correctional Training Academy and there are plans to provide training for other staff members.

The county jail was opened in 1969 and has a rated capacity of eighty-eight. Average daily population is thirty. Conditions of the facility enable the Sheriff to provide separate detention for men, women, and juveniles. Programs offered at the jail are limited. Since medical services are not provided at the jail, individuals in custody must be taken to the hospital for treatment. A work-release program is in operation but only two or three persons may be involved at any one time.

The total budget of the Sheriff's Department for FY-74 is $148,000. Of this amount, a total of $30,552 represents the expenditure for the jail. Costs of operating the jail during the past few years are provided below:

	FY-70	FY-71	FY-72	FY-73	FY-74
Total	$35,158	$28,063	$28,814	$31,759	$30,552

[1] All population figures used in this section are from the 1970 Census of Population, U.S. Department of Commerce, Bureau of Census.

Anne Arundel County - Population 297,539

The Anne Arundel County Detention Center is located just outside of Annapolis. The facility has a maximum rated capacity of 188 but houses an average daily population of 120 prisoners. Approximately two thirds of the detention center's population are awaiting trial for various offenses. A small percentage of the prisoners are sometimes federal prisoners who are kept on a contractual basis.

The administration of the center is under the County Police Department, which provides the staff. The budget is submitted to the Police Department by the superintendent of the detention center although it is listed apart from the Police Department. For FY-72, the budget totaled $370,610 while the budget for FY-73 increased to $429,863 or an increase of 15%. The budget allows for a staff of thirty people including correctional officers (guards). Although three correctional officers have attended the State Correctional Training Academy, there are no immediate plans to provide training for the entire staff. Additional budget information is as follows:

Fiscal Year	Total	Salaries	Operating Expenditures	Capital Outlay
69	$307,784	$187,820	$ 93,329	$26,635
70	320,790	205,720	110,120	4,950
71	352,510	239,500	109,090	3,920
72	370,610	277,600	88,830	4,180
73	429,863	340,618	86,515	2,730
74 *	438,720	336,420	102,300	- -

* Appropriated Funds

Few programs are in existance at the detention center. A work-

release program is conducted at the center by two parole agents from the Division of Parole and Probation. An educational program conducted by the Anne Arundel County Board of Education and a drug counseling program are provided to individuals confined at the institution. Upon entering the center, a full medical history is taken and an examination is given to each person. The county has contracted a doctor to visit the center on a part-time basis six days a week while a nurse who is part of the center's staff is available five days a week.

Baltimore County - Population 621,077

The Baltimore County Jail is located in Towson, which makes it accessible to the Courts. The jail has a maximum rated capacity of 120 beds, but houses an average population of 180 persons. Out of 180 individuals confined to the jail, approximately 125 of them are awaiting trial. The Baltimore County Jail is part of the Baltimore County Police Department and is administered by a warden who has a correctional background rather than police training. The Baltimore County Sheriff performs the activity of transporting individuals to the Division of Correction and to the Circuit Court. A small percentage of the people are from Baltimore City, Howard County, and Carroll County along with federal prisoners. Federal prisoners are kept on a contractual basis.

The jail was built in 1956 as a short term detention facility. The warden has a staff of forty-five people who operate the jail. On the job training is provided to the staff members. Plans have been made to train correctional officers by utilizing the State Correctional Training Academy. The budget to sustain the staff and operations at the jail is submitted as part of the Police Department's budget. Approval of the jail budget must

first come from the Police Department and then it is submitted as part of that budget to the county government. The approved budget for FY-74 was $795,749. Additional fiscal information is provided as follows:

Fiscal Year	Total	Salaries	Operating Expenditures	Capital Outlay
69	$430,614	$341,361	$ 86,407	$ 2,846
70	519,568	409,075	109,218	1,275
71	581,197	442,381	110,828	27,988
72	593,304	475,324	117,700	280
73	645,633	521,428	109,021	15,184
74 *	795,749	609,405	177,714	8,630

* Appropriated Funds

A work-release program at the jail is administered by a probation officer and is said to be very effective. A methadone detoxification program is also conducted at the county jail. At the same time, the medical program is rather limited. One doctor is on call seven days a week. The County Health Department provides a nurse five days a week for eight hours each day. A part-time nurse provides medical assistance on Saturday and Sunday. When a person enters the county jail, medical service is limited to compiling a medical history of the individual. Along with assisting the jail personnel prepare the menu, the County Health Department provides alcoholic and drug counseling.

Calvert County - Population 20,682

The Calvert County Jail is located in Prince Frederick. The facility is under the direct administrative control of the county Sheriff who maintains a staff of four deputies, one jailer, and a secretary. The maximum rated capacity of the jail is sixteen and it houses a daily population of

six persons. Costs of operating and maintaining the jail over the past few years are as follows:

Fiscal Year	Total	Salaries	Operating Expenditures	Capital Outlay
69	$ 7,833	$3,147	$4,686	$ - -
70	8,577	3,750	4,733	94
71	6,919	3,427	3,492	- -
72	10,494	4,384	4,114	1,996
73	14,216	5,461	8,732	23

At present, no programs are provided to the individual detained at the jail. Since there are no provisions at the Calvert County Jail for medical services, treatment of ill persons is given either at the local hospital or in Prince George's County. In addition, because of a manpower shortage, no one is available to supervise the jail twenty-four hours a day.

Frederick County - Population 84,927

The Frederick County Jail is a ninety-eight year old structure. Its rated capacity is sixty-five while the facility has an average daily population of fifty. Sentenced individuals make up 35% of the jail population while persons in a pre-trial status comprise the remaining 65%. Because the facility is so old, separation of juveniles as well as women is difficult to achieve. Six months is usually the longest sentence served at the jail. Persons serving longer sentences are usually turned over to the Division of Correction.

The Sheriff's staff consists of twenty individuals. Twelve of the twenty persons on the staff are designated as jail deputies. A budget of $108,763 has been appropriated for FY-74 for the maintenance and operation of the jail. Additional financial information is as follows:

Fiscal Year	Total	Salaries	Operating Expenditures	Capital Outlay
69	$ 59,342	$ 35,273	$23,739	$ 330
70	61,807	38,865	22,732	210
71	60,446	40,049	19,877	520
72	80,484	61,070	19,314	100
73	86,368	68,106	18,262	-
74	108,763	87,100	17,800	3,863

Programs at the jail are limited. A physician who is on call and paid on a contractual basis provides the major medical care. A nurse is on duty a few hours each day. The Health Department provides counseling to alcoholics and the jail physician carries out a methadone detoxification program when needed.

Harford County - Population 115,378

A new detention center for Harford County was opened on March 3, 1973. The new facility has, according to the Sheriff, a maximum capacity of 92, but has an average daily population of 54 persons. Because of the new facility, the number of individuals confined to the new center and serving a sentence has increased. The Sheriff, who has administrative responsibility for the detention center, has a staff of twenty-six people to operate the center. All correctional officers have received training from the State Correctional Training Academy.

A work-release program is on-going with nine men serving sentences participating. Personnel from the county detention center conduct and supervise the program instead of the State Division of Parole and Probation. It is up to the individuals taking part in the program to arrange for transportation and to reimburse, as is the procedure with other work-release

programs, the center for room and board.

The County Health Department has established programs to deal with problems of alcohol and drugs. A basic education program has also been established in conjunction with Harford Community College. Books are being added to the new library in the center by the county library.

A physician is on call for medical service at the center on a twenty-four hour a day basis. However, persons entering the detention center are not given medical examinations nor are medical histories taken. Psychiatric treatment is given by a psychiatrist from the County Health Department when ordered by the court.

The current budget for the detention center is $309,772 which is separate from the Sheriff's budget. An increase in rehabilitative type programs for individuals confined to the center could affect future budgets. Information concerning costs over the past few years for operating the county's correction facility is presented below:

Fiscal Year	Total	Salaries	Operating Expenditures	Capital Outlay
69	$102,070	$ 79,017	$22,055	$ 998
70	115,816	93,560	22,256	-
71	119,870	97,737	22,133	-
72	147,732	114,645	32,333	754
73	275,171	202,682	72,207	282
74	309,772	228,570	71,614	9,588

Kent County - Population 16,146

The Kent County Jail is located in Chestertown. Capacity of the facility is twenty-five and it has an average daily population of fifteen. Although the local jail generally houses persons awaiting trial, a number

of individuals serving sentences averaging three to four months are confined to the county jail.

The county Sheriff is responsible for managing the jail. Five deputy sheriffs comprise the Sheriff's staff. There are no medical programs at the jail but a physician is on call. Programs at the facility are limited to a work-release program, church groups offering religious services on Sunday, and volunteer work by Alcoholic's Annonymous. Costs of operating the jail are as follows:

Fiscal Year	Total	Salaries	Operating Expenditures	Capital Outlay
69	-	-	-	-
70	-	-	-	-
71	$ 18,543	$6,913	$11,630	-
72	18,190	7,259	10,931	-
73	18,952	7,622	11,330	-
74	20,873	8,403	12,470	-

Montgomery County - Population 522,809

The Department of Correction and Rehabilitation was organized in March, 1972 by the County Executive. The Department is comprised of a director and three major elements: (1) the director's staff; (2) the detention center; and (3) the pre-release center. Prior to the organization of the Department of Correction and Rehabilitation, correction in the county was under the Department of General Services and consisted of the detention center. A work-release program was operated through the detention center.

The organizational arrangement of the Department of Correction and Rehabilitation is shown on Chart 8, page 71.

The detention center has a maximum rated capacity of 183 persons,

MONTGOMERY COUNTY
DEPT. OF CORRECTION AND REHABILITATION

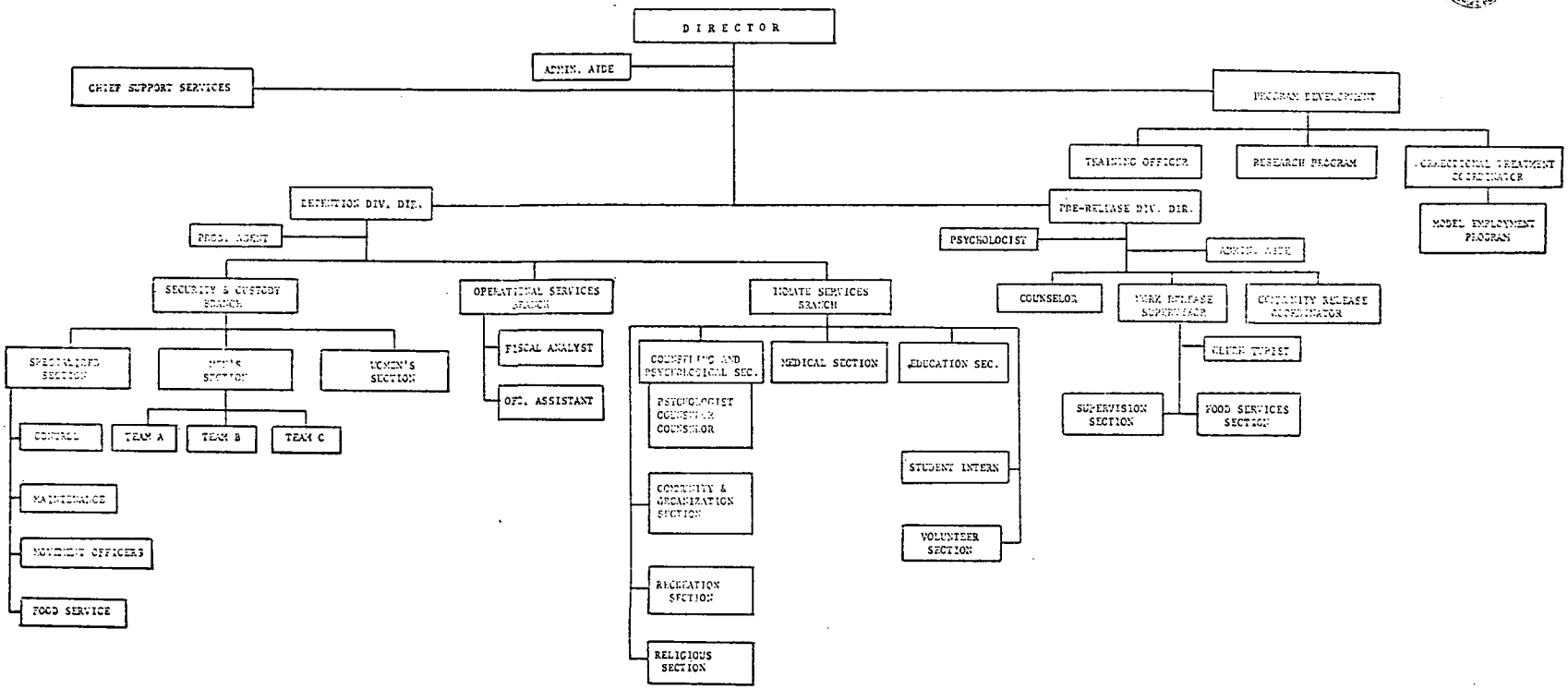

CHART 8

while the average daily population is 140. About three-fifths of the population of the detention center are in pre-trial status. In September, 1972, a pre-release center (half-way house), having a capacity for twenty-four residents, opened and provides the facility from which the county's work-release program operates.

The facility has been expanded to house thirty-three residents, and by January 1975, plans contemplate further expansion for a capacity of forty-one residents. HB 701 was passed by the 1974 General Assembly and signed by the Governor to take effect July 1, 1974. Essentially, this provides the authority to place pre-trial persons approved by the Court in the Pre-Release Program. It also provides that Montgomery County residents who are sentenced to the State Division of Corrections may be transferred to the County Pre-Release Program. State will reimburse County on a per diem basis to cover operational costs.

Material received from officials of the Department of Correction and Rehabilitation stress that their objectives are:

a) To provide for the safekeeping, care and custody of individuals lawfully committed to the detention center.

b) To develop and implement programs designed to assist in the rehabilitation of persons (sentenced and unsentenced) committed to the detention center.

c) To reintegrate the sentenced offender into the community through the pre-release center and supplemented by other programs using community resources and entailing community involvement.

d) To develop a pre-trial diversion alternative for carefully screened individuals in an attempt to keep the family intact by enabling the person charged to continue his/her employment.

e) To make the pre-release center available to persons incarcerated in other Maryland and federal correctional institutions whose residence is in Montgomery County, which should materially assist the offender to adjust gradually to the community.

f) To recommend to the Court alternatives to incerceration.

g) To make the pre-release center available to those persons whose probation has been revoked.

The main direction of correction in Montgomery County is toward the modern concept of community-based corrections. It has been suggested that during this transition period from primarily custody and security with some treatment and educational programs to community-based corrections, program objectives will change and program development will be of major concern. Needs of the prisoners are to be identified and resources from the public and private sectors of the community will be directed toward assisting the Department to do its job. In order to carry these objectives forward, the Department has embarked on a major remodeling and expansion program of the detention center which is scheduled for completion within the next two years.

Realization of the goals and objectives set forth by the Department is expected to be accomplished through the following programs that were outlined in a report from officials in the Department:

a) Model Learning Center.--This educational program is completing its third and final year during which time federal funds (LEAA) have been made available. The County Board of Education was directed toward preparing individuals for the high school equivalency examination. Programmed materials on the

major subjects are available to individuals in order to permit them to work at their own levels and speed. This program is available to the center's population on a voluntary basis. Approximately 40% of the people confined to the detention center participate in the program on a daily basis. One limitation to the program is the highly transient nature of the population. The program, according to the report, is effective and adds a new dimension to the rehabilitative process at the local level.

At present, the educational staff is said to be severely limited by the present physical facilities available. However, expansion plans include increased classrooms and office space. It is said that the Model Learning Center program exceeds anything of its kind in the State at institutions dealing primarily with pre-trial individuals. Upon the expiration of the federal grants, this program will be funded by the county and continued indefinitely.

b) Public Relations.--This program is designed to educate the community on what is happening in correction in the county and increase the emphasis being made in the area of community involvement. The Department is responding to requests from civic groups for speakers and does seek out opportunities to speak. This program is currently in its early developmental stages.

c) Staff Training.--A training officer has been authorized and recently assigned to the Department. Staff development has been given a top priority. An eighty hour in-service training

program has been developed and was implemented in July, 1973. The correctional staff has completed the eight hour Red Cross multi-media course in first aid conducted by the training officer and received training in the use of the baton from the county police.

Newly assigned correctional officers attend the four week course at the Maryland Correctional Training Academy and two officers will participate in each subsequent course. An effective staff development program will be implemented through the newly assigned training officer. This officer received consultant trainer training from the Maryland Correctional Academy and is currently an instructor at the Academy.

d) Work Release.--The pre-release center is in its early developmental stage and concerted action is being taken to make maximum use of community resources to meet the needs of the work releasee or person enrolled in an educational program. Emphasis is being directed to the utilization of agencies from the public and private sector having treatment (therapeutic), employment, and recreational capabilities.

The program is open to male and female offenders. The capacity of the existing pre-release center is twenty-four (24) residents. A new pre-release center with a capacity of seventy-eight residents will be constructed within two years.

The pre-release program is even to Montgomery County residents incarcerated in state, other county, or federal correctional facilities who are within six months of expiration of sentence. The center will also be used for some individuals whose probation is revoked as an alternative to incarceration.

e) Treatment Programs.-- Within the detention center, two staff conselors presently provide individual counseling and crisis intervention. A Community Release Coordinator is developing community treatment programs for inmates prior to their release from the center. Release programs include employment, housing, social services, and counseling.

Volunteer counselors provide additional counseling. Group drug therapy is conducted four times weekly to two groups (each group twice a week) by a professional counselor from the County Health Department. An additional drug therapy group is conducted once a week by a counselor from the Office of Drug Control. The Health Department also furnishes a counselor to provide this service once a week to those individuals in maximum security.

Alcoholics Anonymous meets once a week under the direction of an alcoholic counselor. Psychiatric consultations are scheduled for those individuals as may be recommended by the contract physician. Treatment programs provided to individuals

detained at the detention center have approached the saturation point because of space limitations. Plans to expand the facilities in the future will provide space for additional treatment programs.

At the pre-release center, a psychiatrist (LEAA funded) provides services as a consultant once weekly. A resource manual of agencies in the public and private sector in the community which offer treatment services is being developed and efforts are currently being directed toward establishing a relationship with those agencies which indicate a willingness to provide such services.

First year ELAA funding for a Clinical Psychologist for the department has been approved. Federal Funding in the amount of $19,800, in addition to $1,100 in State funds match the County's $1,100. Major emphasis will be on screening and diagnosis of inmates received from the Circuit Court. The Psychologist is on the classification and treatment team at the Detention Center. Psychologist has been selected and employed since February 1974.

f) Medical Program.--The Department has a professional medical staff consisting of two part-time physicans, one consulting psychiatrist two full-time nurses, one full-time and four full-time par - medics. Medical coverage is proved twenty-four hours a day, seven days a week.

Each individual is given a medical examination by a medical doctor within twenty-four hours after admission. Examination

includes a blood count, X-rays, tuberculin skin test, urinalysis, vision and hearing tests and any other tests if determined necessary by the doctor. A medical history is taken of each person. Each individual has access to daily sick call.

A methadone detoxification program is available at the detention center. Presently, a person suffering from severe withdrawal is evacuated to a local hospital on an out-patient basis for necessary methadone detoxification. This procedure is costly and creates many logistical problems.

The department has been selected by the American Correctional Association as one of three areas in the country to implement a Model Inmate Employment Program. This project is funded by LEAA Grant to the American Correctional Association with the County providing a cash match. This project is aimed at crime reduction through employment services to, and quality job placement for, short term inmates. The project includes pre-employment training, social education, counseling, and job development. Department staff assists the three full-time project employees in the development and implementation of project. Federal funds in the amount of $60,300 will be provided with the County providing $6,300 match. The program was implemented in January 1974.

A research concept paper has been forwarded to and reviewed by LEAA and has been one of three concepts selected from approximately sixty proposals for funding. Grant has been prepared and tentative approval has been received for first year Federal funding in the amount of $134,000. The research project will be of three years duration. American University will work closely with the department. Specifically, this project will research and evaluate a program of differential classification and treatment of a jail population in a community-based correctional facility. The expected date of implementation is in June 1974.

A limited program has been developed with the State's Attorney whereby a carefully screened incarcerated pre-trial person unable to post bond may be released to the community to keep his job and/or family intact. Person must be a Maryland resident, must have an acceptable place to live, and must have a job. Person must meet other criteria (no violent crimes against persons, etc.) to be eligible for the program. Individual must report to the Community Release Coordinator periodically and must participate in counseling programs as may be required. If individual successfully adapts to the community for ninety days, the charges may be Nolle Prossed or Stet Docketed. Individual will be returned to the Detention Center if he does not meet the conditions of the program.

Between 1970 and 1974, the budget has increased from $447,690 to $1,349,530 or 201.4%. Federal funds (LEAA) in the amount of $140,000 were furnished during FY-73 for the pre-release center. The Model Learning Center program received an amount of $27,552 for its second year of operation. LEAA funds amounted to $171,304 to be used by the Department for Correctional Services. These federal funds represent approximately 15.8% of the Department's budget in FY-73. Additional financial information is provided below:

	FY-70	FY-71	FY-72	FY-73	FY-74
Salaries	$330,179	$408,589	$506,666	$ 720,807	$ 975,010
Operating Expenses	104,445	149,564	217,209	330,302	366,800
Capital Outlay	13,066	8,399	6,851	36,161	7,720
Total	$447,690	$566,552	$730,726	$1,087,270	$1,349,530
Federal Funds included in Total	-	$ 14,580	$ 43,863	$ 171,304	$ 210,515
Percent of Total	-	2.6	6.0	15.8	15.6

Prince George's County - Population 660,567

The Prince George's County Detention Center is located in Upper Marlboro. The maximum rated capacity is seventy-five but the facility has an average daily population of 170. Most of the individuals confined to the detention center are awaiting trial.

The detention center is run by the county Sheriff with the assistance of sixty-three correction officers. In FY-73, the budget for the detention center totaled $1,691,610. Between FY-69 and FY-74 the budget increased from $449,828 to $1,671,610 or 276%. Additional financial information concerning the operation of the detention center is provided below:

Fiscal Year	Total	Salaries	Operating Expenditures	Capital Outlay
69	$ 449,828	$ 350,498	$ 92,258	$ 7,072
70	569,501	445,661	122,265	1,575
71	641,621	502,171	138,225	1,217
72	748,473	592,056	146,300	10,117
73	1,019,843	829,913	182,452	7,478
74	1,691,610	1,208,545	290,368	192,697

The major program at the facility is a medical program. A part-time doctor visits the center twice a week and his services are augmented by five paramedics. When a person enters the facility, he is given a medical examination by the doctor.

Wicomico County - Population 54,236

Wicomico County Jail is located in Salisbury. The maximum rated capacity of the jail is eighty-two while the average daily population is fifty-five. There are only three people serving a sentence at the facility.

The jail is run by the county Sheriff, who performs public safety activities as well as serves the Court. The Sheriff has ten deputies who also act as jailers. At present, no programs are offered to persons detained at the jail. According to the Sheriff, Wicomico County Jail is the only facility on the Eastern Shore that keeps federal prisoners. These individuals are housed at the jail on a contractual basis. Operating budget for FY-74 is as follows:

Fiscal Year	Total	Salaries	Operating Expenditure
74	$110,791	$67,303	$43,488

Baltimore City - Population 905,759

The Baltimore City Jail is administered by a six member Board that is appointed by the Mayor. Members of the Board serve staggered two-year terms, hold monthly meetings, and serve without compensation. The Mayor designates one member of the Board as its President. Duties of the Board include establishing jail policy, hearing employee grievance appeals, appointing a warden and his assistances, and jointly with the warden, selecting jail personnel.

The facility that houses Baltimore City's short term offenders and offenders awaiting trial is known as the Baltimore City Jail. In 1962, the City opened the first phase of its institution that replaced the 100 years plus structure. Over the past ten years, many structural improvements have been made at the jail. The present facility, with renovations still taking place, has a rated capacity of 1,190 (970 males and 220 females) and an average daily population of 1,282 during 1973. Approximately 10% of the

jail's population is sentenced with the remaining 90% awaiting trial.

An average of forty federal prisoners are housed at the Baltimore City Jail who are awaiting trial. Federal prisoners are kept at the facility on a contractual basis. The average amount of time a person spends in pre-trial state at the jail is sixty-five days. Separation is provided for pre-trial and sentenced individuals. Juveniles are separated according to age with seventeen and eighteen year olds in one grouping while younger juveniles are kept together in another grouping.

Day-to-day operations of the jail are the responsibility of the warden. A staff of 396 assist the warden to maintain and operate the facility. The jail is operated on an annual budget for FY-74 of $6.8 million which has been approved by the Mayor and City Council of Baltimore. A factor that directly affects the jail budget is the necessity to authorize overtime. Use of overtime has created budgeting problems in the past and the current fiscal year is no exception.

According to the warden, part of the overtime problem is due to sick leave abuse. However, it is contended that the major problem creating the need for overtime is that support service personnel at the jail are inadequate, therefore, correctional officers have to be used in non-correctional duties, thus, insuring an overtime problem. Figures from the warden's office that provide a comparison of personnel at the facilities and document support service manpower shortage are as follows:

	Maryland Penitentiary	Maryland House of Correction	Baltimore City Jail
Inmate Population	1,300	1,400	1,300
Authorized Correction Personnel	297	285	295
Authorized Support Personnel	166	151	101
Total Authorized Personnel	463	436	396

Additional budget information is provided below:

Baltimore City Jail Expenditures
FY-70 through FY-75

	FY-70	FY-71	FY-72
Salaries	$2,109,986	$2,473,564	$2,808,794
Operating Expenses	1,587,383[a]	2,155,241[a]	2,442,296[a]
Total Expenditures	$3,697,369	$4,628,805	$5,251,090

	FY-73	FY-74[b]	FY-75[c]
Salaries	$3,629,225	$3,918,181	$4,548,226
Operating Expenses	3,131,814[a]	2,940,240[a]	3,810,586[a]
Total Expenditures	$6,751,039	$6,858,421	$8,358,812

Federal Funds included in Total in FY-73 $2,023,812

(a) Includes Debt Service

(b) Appropriated Funds

(c) Requested Funds

Several programs are carried out at the Baltimore City Jail. A methadone detoxification program is administered in conjunction with the Baltimore City Health Department. There is a juvenile education program that involves the Baltimore City School System. In addition, a number of federally funded programs are conducted at the jail, but the extent of these programs is limited.

A suit filed against Baltimore City by a prisoner confined in the Baltimore City Jail resulted in what is known as the Kaufman Decree. The Decree was issued by a federal court in July, 1973, and called for immediate improvements to be made in conditions at the jail. These improvements were

to be in the areas of medical treatment, psychiatric treatment, additional social workers, and an adequate classification system for the jail. Since that time, additional funds have been made available to improve the progress.

Correction at the Local Level - In Brief

Not all local governmental units that operate and maintain correctional facilities are described in the preceding paragraphs. Nevertheless, the correctional systems included in this informational report possess a number of common characteristics that may, if indicated, add to the understanding of the correctional function at the local level.

The major role performed at the local jails and detention centers is one of detaining individuals in a pre-trial status. Sentenced persons are incarcerated at local facilities, but, except for special cases, the terms are limited. Structurally, most local jails are antiquated and in need of repair and renovation. A number of local jails are not able to meet the minimum standards and, therefore, have difficulty passing inspection of the State Jail Inspector.

Administratively, most local jails are under the supervision of the Sheriff who may also have to perform police related activities as well as service the Courts. The staffs of the Sheriff's offices tend to be small. Regardless of size, however, relatively few members of the Sheriffs' staffs have had any training in the area of correction.

With the exception of one or two local jurisdictions, programs of any type are virtually non-existent. Cooperation between the correctional

people and officials from other departments with the same governmental jurisdiction rarely involve the undertaking of joint ventures that would result in services being provided to confined persons. Even a program as basic as medical care is not always provided in-house. When it is available, medical service is generally on a limited basis.

Two additional factors also should be indicated. First, figures related to capacity of the local jails and detention centers vary depending upon the source for the information. Second, budget information from counties that rely upon the Sheriff to operate and maintain the local jail may not reflect cost related only to correction. The questionable expenditure is that of salaries. When a sheriff's office is charged with a variety of responsibilities, and employees must perform in numerous roles, determination of exact cost for one function as opposed to another is difficult.

CORRECTION IN PERSPECTIVE

Associated with a complex and controversial subject such as correction are at least two points upon which there is considerable agreement. First, study and research conducted over the past few years with regard to correction, not only in Maryland but throughout the country, generally conclude that our present system is not working well. Individuals who commit offenses against society are banished from that society for a specific period of time. In most cases, however, the same individual returns to a community at a future time with the same inadequacies that existed prior to incarceration. Sometimes the only change is the improved ability to commit crime.

Second, there is general agreement that the need for maximum security type facilities where the major emphasis is on custody and security will continue. Individuals will have to be treated in a highly authoritarian and regimented manner because of their propensity toward acts of violence and patterns of criminal activity. In cases such as these, the need to protect society, will prevail.

While there is agreement on these two statements, considerable disagreement is found when dealing with such basic issues as: (1) in what direction should correctional services move, (2) what should the roles of the governmental units be, and (3) how and who should pay for expenses caused by changes in the system.

Role and Responsibility - State and Local Government

Traditionally, the State has been responsible for sentenced individuals while the local governments have been in charge of persons in a pre-trial status. These basic roles are still in effect today. What has changed over the years, however, is the underlying concept of the penal system: that is from the view that custody, security, and confinement are keys to the successful operation of the panel system to the idea that rehabilitation within both the institution and community itself is possible and desirable.

There is widespread acceptance of the idea among penologists that individuals can be rehabilitated and helped to lead productive lives that exclude criminal activities. Yet, the large and antiquated structures at the state level along with the existing conditions within these facilities are obstacles to the development of rehabilitative oriented programs. The facilities were built years ago for the purpose of security. Maintaining security is very expensive and accounts for a large portion of the funds allocated to operate the facilities. Overcrowded conditions make it difficult if not impossible to conduct programs of any type and at the same time include everyone in at least one program. Vocational training offered to individuals confined to state correctional institutions does not always provide the type of skills that can be easily transferred into gainful employment once an individual is released. When the training is useful and can assist individuals to obtain employment in an established profession, many organizations view this as a potential threat to their livelihood.

An individual's initial introduction into the correctional system occurs at the local level. Jails and detention centers operated by local governments, except in a few instances, are substandard facilities, which have untrained correctional officers, and few if any programs of rehabilitative value. The guilt or innocence of an individual in pre-trial status is not the most important aspect at this stage. What is important is that if the person is not confined after this pre-trial period that he leave the correctional system with a favorable attitude of the system that can be transferred to the rest of the community. However, if the individual is guilty of a crime and confined to an institution, rehabilitation of that person will have commenced upon entering the system to insure that he will not again be a burden upon society and the correctional institution at a later date.

Except for Baltimore City and periodically at one or two other counties overcrowding is not as acute a problem at the local level as it is at the state level. Nevertheless, the cost of maintaining and operating inadequate correctional facilities continues to rise and burden the local jurisdictions without any indication that the money has been well spent. Reluctance on the part of local officials to improve their correctional facilities may be due in part to scarce funds or possibly the desire to have the correction function transferred to another level of government.

One method that has been suggested by various sources and is

immediately available to local governments to both finance and operate a local facility is the development of regional jails on a cooperative basis. Financial assistance may be received from the State for construction or enlargement of a regional facility. A regional facility that is a cooperative venture between or among local governments would relieve them of providing all funds necessary to operate the facility and free these funds for use in other functional areas. Some jurisdictions may have to operate and maintain their own county facilities if their inmate populations are large. However, several counties have limited prison populations, some as small as 15. These jurisdictions could join with contiguous counties to operate regional jails.

At the state level, overcrowded conditions and antiquated structures are factors that limit the ability of correctional officials to adequately carry out their responsibility. It has been suggested that 60% of the people committed annually to the state system have sentences of two years or less, mostly for misdemeanors. The majority of these offenders are not a real threat to the community. In this situation, institutions designed for heavy security are unnecessary. Therefore, it may be asked, what other methods (diversions) are available or being developed to be used as alternatives to incarceration when the situation warrants a different approach.

Rehabilitation under present conditions is difficult, if not impossible. The community corrections concept offers an alternative to the present system of the State. The underlying philosophy of community corrections

involves the utilization of small facilities that house a limited number of individuals (approximately 100) located within the community. In addition, the resources and programs offered within the community could be provided to the individuals housed at the correctional facilities.

The cost of constructing a community corrections facility is about one-half of what it would cost to build maximum security facilities. Federal money would also be available for community corrections facilities where it is not available for large security type structures. Rehabilitation types of programs could be operated to help individuals, who have been confined, to be reintegrated into the community with a minimum amount of disruption.

If the State is to move in the direction of community corrections, two problems have to be dealt with and solved. First, the major obstacle to community corrections is in the form of community opposition to the location of facilities. Acceptance of an idea does not mean acceptance of the facility either next door or even in the community. Residents of the community must be willing to accept the concept and the realities that go along with it. An educational program concerning correction may be needed.

Second, community acceptance of community corrections will depend, in part, upon an effective diagnostic and classification program that places individuals in the institution that can help the person the most. Placement of individuals is one aspect of successful community corrections. Programs that are designed to help individuals are important to the entire community corrections concept. Presently, these two problems exist.

Administration

Of the twenty-three local jails, eighteen of the facilities are under the direction of the Sheriff. Two other local facilities are closely connected with the police departments of these jurisdictions. It has been suggested that there should be a distinct separation between activities related to correction and those associated with police. In fact, at the state level, extreme caution was exercised when the Department of Public Safety and Correctional Services was established to insure the separation of correction from the public safety function.

At the local level, the Sheriff, in many jurisdictions, carries out three basic activities--serves the court, operates and manages the jail, and performs police activities. These three functions, although closely related, have different objectives, require specific training and generally require attention on a full-time basis. Performance of all three functions by one officer is not necessarily impossible. It is believed by correction officials in particular, however, that an effective job cannot be done in the area of correction if it is necessary to devote part of the time to another major function.

It has been pointed out that an individual's first encounter with the correctional system occurs at the local level. Therefore, the impact of the first encounter may do much to develop the individual's attitude toward the correctional system. A favorable impression at the beginning, combined with short term programs designed to assist the individual to cope with both confinement and eventual freedom, could do much to divert individuals, especially first offenders, from further criminal activities.

With the emphasis upon rehabilitation rather than confinement and a dramatic change in the type of prisoner, it stands to reason that the type of correctional officer must also change. This can only be done through training and retraining of persons working at the various jails and detention centers. Some local jurisdictions do provide training for correctional officers. Most jurisdictions do not.

The Maryland Correctional Training Commission was established July 1, 1971. Since that time, the Commission has labored to train trainers and establish training programs for personnel at the state and local levels who have the most direct contact with persons who are inmates in the correctional institutions. Personnel to be trained include correctional officers, parole-probation agents, and classification counselors. Training through the Correctional Training Academy is in progress. Nevertheless, many people at both the state and local levels remain to be trained. Some jurisdictions have yet to participate.

Insufficient pre-service and in-service training and development for correctional personnel is a problem associated with the State as well as local governments. Coupled with the problem of training, according to the Governor's Commission on Law Enforcement and the Administration of Justice, is the difficulty in recruiting qualified personnel. "The Poor image of corrections as a career," the Commission goes on to say, "is a product, in part, of the profession's failure to assess recruitment restrictions, salary, and retirement plans." Salaries at the local level for personnel who will have to work with prisoners begin as low as $5,100. If rehabilitation is to begin for an individual at his first point of entrance into

the correctional system, qualified, well-trained, and adequately compensated personnel will have to be employed. Because of these problems, it has been suggested that a state-wide minimum salary for all correctional officers should be established. This in turn would help to recruit better qualified individuals for the correctional system at all levels. The inherent problem with this suggestion centers upon who sets the standard, on what basis, and who pays for its implementation.

Relationships

Confinement in a correctional facility and release of an individual do not address the problem of why an individual ended up in prison. Broadly interpreted, rehabilitation suggests that the correctional system develop within the individual those qualities and tools necessary for a successful existance that the person failed to accumulate in the eighteen plus years prior to incarceration. At this stage, fault is not important. What appears to be important is how and what type of programs should be conducted for those individuals who will be confined for a specific period of time. To accomplish even a degree of success in rehabilitating indivuduals a great deal of cooperation has to exist among departments that could or should have an impact upon the correctional system's population.

Agencies that provide programs that are basic to any overall attempt at rehabilitation are education and health. Cost, lack of facilities, and overcrowding have an effect upon any programs. Cooperation in developing educational type programs and offering health care exists at both the state and local levels. This situation is the exception rather than the rule and the quality of these programs, when they exist, can be questioned. What

seems to be of major concern, however, is whether correctional officials should be in the education and health business or whether they should simply help develop and then supervise the administration of the programs.

Other agencies could also be extremely beneficial to individuals who are somehow connected with the correctional system. Social services agencies do, in some cases, provide assistance to individuals confined and their families but continuous programs are not in effect. Employment Securities Administration could also identify job openings for individuals released from an institution which could help a person establish a productive life.

In addition to a lack of available programs and program cooperation among agencies, the type of basic information needed to place an individual in a variety of programs designed to help specific needs is not always available. As previously indicated, only 25% of the sentences imposed by the Circuit Courts of the State are now imposed with the benefit of a complete pre-sentence investigation and evaluation from the Division of Parole and Probation. Without basic information concerning individuals, the diagnostic and classification procedure cannot be effective. Following the logical effects of these consequences, one has to assume that with a well founded and accurate classification system a community corrections program would be affected.

It is the Division of Parole and Probation that offers an alternative to incarceration. It is not only less expensive to have an individual supervised on parole or probation, but it is an advantage to society in that an individual in the community helps to maintain governmental programs through payment of taxes. Yet, an increasing caseload has the effect

of hindering the Division's ability to carry out its activities. With the inception of the District Court System, both the investigative and supervisory responsibilities of the Division have increased. Additional persons being released on personal recognizance is the result of the rules of the District Court. However, the Division is often requested to assume supervision of an individual until his trial. According to an official of the Division, supervision of an individual in a pre-trial status is a pre-adjudicative activity which is not necessary within the sphere of operations of the Division and may, from a legal standpoint, be questionable. The major consideration in this instance is whether the Division is capable of handling the increased caseload. Parole and Probation offers acceptable and constructive alternatives to incarceration, but all aspects of the procedures must be accomplished properly.

The correctional problem, at the local level, is acute in densely populated areas and in particular in Baltimore City. Although increased emphasis must be placed upon the problems of the urban areas, it should be kept in mind that correction is a problem throughout the State. Much cooperation is needed along with certain standards. At present, there are minimum jail standards. Since sound programs are so important to the overall system and the backbone of any rehabilitative attempts, the suggestion has been made that minimum program standards be established in addition to the jail standards now in effect. Standards would have to be applied to the state as well as the local level. Depending upon the role of each level of government, standards would have to be established in relation to the role that each unit of government plays within the correctional system.

SUMMARY

Over the years, the role of the state and local governments in the penal system has changed only slightly. The overriding philosophy of control and confinement within large institutions of individuals who have broken the law was not subject to periodic review or innovative ideas. Antiquated penal facilities being operated by both state and local governments are a strong indication that there has been little emphasis placed upon activities related to the penal system.

With the gradual acceptance, by penologists, scholars, and interested persons of the idea that individuals, who have committed crimes and are placed in an institution, can and should be rehabilitated, a whole new area of concern surfaced. The emphasis is now upon correctional services and rehabilitation. A long period of neglect of the penal system, however, has made it difficult to implement the type of programs that correctional officials would like to see carried out.

The state and most local governments have correction facilities that are old, difficult and expensive to maintain, and lack the space and equipment necessary for effective rehabilitative type programs. Many of the facilities lack sufficient staff to adequately oversee the activities at the facility. The staff that is available, is not always trained to either handle or help the individuals who are confined, especially when these individuals become actively involved in rehabilitative type programs. Moving from an inactive institutional population to an active one is both a

new and difficult experience, especially for the untrained correctional officer.

The difficulty of the correctional system does not lie totally with the facilities and the staffs. Attempts to construct new facilities within communities and operate them on the basis of the community corrections concept have met with resistance from entire communities. Few people, if any, want a correctional facility in the community, let alone next door. If the community corrections concept is to have an opportunity to work, people within the community will have to be convinced that it is a good idea. In addition, a great deal of cooperation will have to exist between correctional officials and officials from other departments and agencies, both private and public, in developing programs aimed at rehabilitation.

Much progress has been made over the past few years in the area of correction at both the state and local government levels. Yet, there is much to be done because of the long period during which time little effort was made to improve the correction system. Based upon the material in this report, a number of broad observations concerning correction at both the state and local levels can be made but not necessarily in a priority order. These observations are as follows:

a) Officials in charge of correctional facilities, must be well trained, highly motivated and good administrators.

b) The size of the correctional facility is of great importance. The larger the facility, the more difficult it is to establish and maintain personal contact with individuals. It is also more difficult to treat the individual needs of the inmates. On the other hand, smaller facilities will have to be built

requiring additional funds for programs as well as highly trained personnel.

c) Correctional staff has to be well trained and interested in rehabilitation.

d) There is a need for adequate funds to be made available to carry out new and innovative programs as well as for the maintenance of existing facilities and programs.

e) A minimum number of programs should be available to both pre-trial and sentenced individuals.

In addition to the preceding observations, the following questions provide a point of departure for discussion of the correction function.

a) What should the role of the state and local governments be with regard to correction?

b) How can the regional jail concept be used to strengthen the correction system? Should the concept be used at all?

   1) What role should the community corrections concept play in the correction system?

c) At the local level, who should be charged with the responsibility for administering the jail?

   1) What measures should be taken to insure qualified and trained personnel in charge of correctional facilities?

d) What type of financial arrangements can be made in order to properly finance the correctional system?

e) What can be done to insure greater cooperation between the various departments and agencies, both public and private, and the departments responsible for correction?

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FOR IMMEDIATE RELEASE

APPENDIX A-1

MEDICAL and CHIRURGICAL FACULTY
of the STATE OF MARYLAND

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Baltimore, Md., December 19, 1973--A report, highly critical of the medical care provided inmates of Maryland's penal system, has been issued by an ad hoc committee of the Medical and Chirurgical Faculty, the state medical society.

Based on observations by its members during visits to four of the institutions, the Med Chi report states that present health care given to inmates is barely adequate. The committee noted that what services are being provided are a tribute to the dedication of the health professionals involved since all the facilities are desperately undermanned and poorly equipped.

In the past, physicians serving the institutions have made innumerable recommendations to raise the quality of care to the standards of a free society. Despite these proposals, it is rare that new ideas are acted upon or implemented, the report asserted.

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Yet, despite these shortcomings, the committee feels that the present concept is viable and continues to offer the best method of delivering health care to inmates at the lowest cost and highest efficiency. However, it was urged that the system be made autonomous, adequately funded and placed under a strong, independent medical director who would be responsible only to the Secretary of the Department of Public Safety and Correctional Services.

Any other health care delivery system, it was noted, could result in an enormous waste of money and expertise. The committee concluded that once an improved, autonomous system is attained, a comprehensive study of its effectiveness should be made.

Some of the conditions revealed by the Med Chi committee indicated very poor housekeeping within the institutions. Dirty floors and soiled bed linens piled in patient's rooms, coupled with broken windows, were reported.

In addition, diet plans were found to be deficient and contributory to inmate health problems. As example, William A. Pillsbury, M.D., chairman of the ad hoc committee, revealed that a high incidence of surgery required for rectal problems was evidence of poor personal hygiene, inadequate toilet facilities and a diet too heavy in carbohydrates and low in protein. In some institutions, the report states, a prisoner is limited to the numbers of times within a week he can go to sick call. At the same time, he may only report one ailment at a time.

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Due to the lack of personnel, these sick call periods are conducted very rapidly by a nurse who screens each patient. If the nurse feels the patient should see a physician, she arranges for this. The patient may also see the physician by stating he has a personal problem. Approximately 10 to 20 per cent of all patients on sick call actually see the physician.

It was also learned that there was a total lack of privacy on sick call and an absence of confidentiality on inmates' records. Other weaknesses in the current health service include a language barrier between the prison physicians and patients, lack of specialist consultants and no standing procedures for emergencies.

The investigating committee declared itself pleased with the quality of nurses working in the correctional institutions and found the level of physician competence to be good as well as the caliber of consultant physicians, although it was felt that full-time duty and commensurate fees should be required.

Further recommendations of the committee call for the extension of on-site physician service coverage to a minimum of eight hours a day on weekdays with weekend coverage of several hours a day and expansion from one full-time physician to two part-time physicians as more practicable.

Especially emphasized was the recommendation that medical officers be given a greater role in day-to-day care of inmates, directly supervising sick call and making periodic inspections of the entire institution to ensure proper food handling, sanitation and healthy living conditions.

The ad hoc committee conducting the investigation was comprised of six physicians and a dentist. In addition to Dr. Pillsbury, other members included James D. Drinkard, M.D., Frank G. Kuehn, M.D., David S. McHold, M.D., Patrick C. Phelan, M.D., Jonas R. Rappeport, M.D. and Harry Levin, D.D.S.

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MEDICAL and CHIRURGICAL FACULTY of the STATE OF MARYLAND
1211 CATHEDRAL STREET, BALTIMORE, MARYLAND 21201

APPENDIX A-5

REPORT OF THE AD HOC COMMITTEE ON MEDICAL CARE IN STATE PENAL INSTITUTIONS

This Committee was named by the President of the Faculty, William Carl Ebeling, M.D., as a result of SJR-49 adopted by the General Assembly in 1973 and signed by the Governor. It has operated in a public service capacity, with the services of physicians being provided at no cost to the state and all administrative expenses borne by the Medical and Chirurgical Faculty.

It communicated with Commissioner of Correction, James Jordan, who expressed every wish to cooperate in any way possible with the group in implementing its study. Commissioner Jordan also issued an invitation for our Committee to send a representative to the regular weekly meetings of the Task Force being held to develop standards for a plan that would be put out to public bid by interested parties.

The Committee strongly recommends implementation of the recommendations contained herein, so that adequate and proper medical care can be provided to the inmates in state penal institutions.

The Committee concludes that once the above is accomplished, then a truly comprehensive study, utilizing many disciplines, should be conducted to evaluate the effectiveness of this adequately funded administrative program.

The Committee would like to express its appreciation for the courtesy and cooperation it received from all of the persons involved in the correctional institutions.

The Committee divided into teams, each of which physically inspected the various state penal institutions. Inmates were interviewed without any one present, and sick calls were observed in operation. Those physicians and nurses who presently staff state penal institutions were also interviewed privately. Inspections were made of physical facilities, equipment, and methods of drug dispensing. Most of this activity was conducted without prior notice of date or time of visit and with the complete cooperation of penal officials.

All persons with whom the teams talked expressed complete candidness and sincerely delineated the deficiencies of the present system. It is impressive that the quality of care is at the level it is, given the present set of circumstances. The Committee was unanimous in its opinion that many improvements are necessary.

For the purpose of this report, the various aspects of medical services provided have been separated.

SENIOR MEDICAL OFFICERS

The level of physician competence was found to be good. All of these physicians have private practices and have good standing in their community and among their peers. A basic problem arises from the fact that these physicians are in-name full time--yet, in fact, their average time in the institution varies from two to four hours a day, five days a week, but to balance this they are on call 24 hours a day, seven days a week. Their annual salary of $23,500 is roughly equivalent to a 20 hour work week in private practice. The prison physician is faced with many problems he does not encounter in private practice--the average inmate is less likely to be a trusting and cooperative patient; there is an increased risk of a malpractice suit; there is always a concern about physical safety (indeed, a physician at Hagerstown was assaulted by an inmate); physical facilities are generally inadequate. These physicians are also faced with severe budgetary restrictions and have no recourse when necessary items are cut from the budget by lay personnel. Most of these physicians feel that they are alone with their problems and receive little, if any, support from superiors. In general, they seem to view their duties as that of providing corrective health care to sick inmates. Very little is done in the way of inspections of living and working conditions and food preparation.

CONSULTANTS

The caliber of consultant physicians is excellent despite the woefully inadequate fees. This happy circumstance is due mainly to the fact that the senior consultants are dedicated and have persuaded many other specialists to take on these assignments. Unfortunately, most of the consultants are Baltimore based and inmates must be transported to the Penitentiary or to University Hospital to see these physicians. Only limited consultations are available at Patuxent, Jessup and Hagerstown--dermatology, psychiatry, dentistry, surgery and ophthalmology-optometry. The waiting time for consultations seems to be excessive, particularly orthopedic, and this is a source of great discontent with both the physicians and the inmates. In addition, the transportation of inmates involves a great deal of expense and also results in further delays.

NURSING CARE

All physicians interviewed were pleased with the quality of the nursing care. However, all emphatically declared that more nurses were needed, particularly nights, weekends and holidays, when there is no nurse coverage in most cases. Nurses interviewed seemed generally satisfied with their working conditions but all felt they could do a better job if they had more help. Many of the nurses were required to carry an excessive work load which did not permit adequate rapport with the inmates. Nurses also complained of lack of administration support.

EMERGENCY CARE

Emergency cases are generally handled satisfactorily. These are generally sent to the University of Maryland Hospital with the exception of Hagerstown where they are sent to the Washington County General Hospital. There is some concern, however, on the part of the Committee as to the recognition of an emergency by untrained personnel when nurses are not present. There seems to be no standard protocol available for nurses to handle acute emergencies such as shock, acute heart failure, etc.

MEDICAL RECORDS

Complete health care records of each inmate are kept in each institution. However, there is a question of whether each inmate's record accompanies him promptly from the Reception Diagnostic and Classification Center. Certainly there is a delay when an inmate is transferred from one institution to another. There is also a long delay in receiving reports from consultants, and obviously, both of these situations can present serious problems in health care. It was also noted that the offense for which the inmate was sentenced appears on the health record--the committee feels that this has nothing to do with health and should not appear at all as it could conceivably lead to prejudice. The confidentiality of health records is a cause of concern due to the employment of inmate clerks.

A separate sick call card is made for each inmate but the information on it is scant. For example, significant past history does not appear so that the only way to detect allergic and other serious past history would be to consult the inmate's folder. In addition, information placed on the card at each visit is cursory and usually contains only the reason for the visit and treatment. A typical example of the paucity of information is "Skin rash-Desenex."

DRUGS AND MEDICAL EQUIPMENT

Medications seem to be safeguarded adequately. The nurses count out prescribed medication into individual packets and these are then transported in locked boxes to the various tiers where the guards then issue them to each inmate.

None of the physicians encounter difficulty in obtaining necessary drugs but are concerned with the efficacy of some of the generic medications that are sent to the institutions. Emergency medication can be obtained by local purchase. There is no evidence that attempts have been made or even considered for the establishment of a formulary from which all physicians could prescribe medications. This would, undoubtedly, do much to reduce the cost of purchase and storage of drugs by the central purchasing unit for the prison system.

In at least one institution (Hagerstown) the physician will not prescribe hypnotics or sedatives, thereby placing an unnecessary load on the psychiatirst.

Equipment in many cases is difficult to obtain or repair due to budgetary limitations. For example, the x-ray unit at Hagerstown was donated by the physician; yet a request for a Bucky attachment has been repeatedly turned down in the budget.

SICK CALL

Sick call is a very serious problem in all institutions except Patuxent. Due to the lack of personnel sick call is conducted very rapidly by a nurse who screens each patient. If the nurse feels the patient should see the physician she arranges this, or the inmate may see the physician by stating that he has a personal problem. Approximately 10-20% of all patients on sick call see the physician. A great deal of the sick call procedure involves taking the patient's word for his condition and giving routine medication for this. For example, if an inmate states he has athlete's feet he is apt to get the standard medicine for this without his feet actually being inspected. No complaints were elicited as to difficulty in going on sick call but some limitations were noted, i.e., in some institutions an inmate can only go on sick call every other day; and may only report one illness or condition at each sick call visit.

There is a total lack of privacy at sick call--in all cases a clerk and a guard are present and in some cases more than one patient. Security and convenience are given as a reason for this situation.

INMATE COMPLAINTS

The majority of inmates interviewed at random felt that the quality of health care was generally adequate. They felt that most of the inadequacies were due to lack of help, and indeed, in some cases, felt the nurses were overworked. The most frequent complaints were:

1) Difficulty in seeing the doctor
2) Cursory examinations by the physicians
3) Little, if any, effort to explain their condition or to provide reassurance
4) Persistence in giving the same medicine when there is no improvement in their condition
5) The giving of the same medicine for all types of conditions
6) The necessity to see a psychiatrist to obtain nerve pills
7) Limitation to only one complaint per visit
8) Suspicion that guards withhold inmates' medications

The Committee feels that at this time certain recommendations should be implemented before a more comprehensive study can be completed.

1) On site physician service should be expanded in all institutions so that a minimum of eight hours a day on weekdays is provided and week-end coverage of several hours a day should be provided. The Committee doubts that a full-time physician would be desirable due to the working conditions and feels that two part-time physicians would be more practical.

2) Medical officers should assume a greater role in the day-to-day medical care of inmates and should directly supervise sick-call.

3) Medical officers should make periodic inspections of the entire institution to ensure proper food handling, sanitation and healthy living conditions.

APPENDIX D

INFORMATIONAL REPORT
ON
FIRE AND RESCUE SERVICES

INFORMATIONAL REPORT

ON

FIRE AND RESCUE

SERVICES

AUGUST 26, 1974

(For Discussion Only)

MARYLAND COMMISSION ON THE FUNCITONS OF GOVERNMENT

EXECUTIVE BUILDING
140 MAIN STREET
ROOM 301
ANNAPOLIS, MARYLAND 21401

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INTRODUCTION

Maintenance of the public's safety is one of the basic objectives and functions of government. In addition to the problems of crime, fire also presents a special hazard to the general population. This being the case, the primary objective of a fire fighting unit is to protect the lives and property of the citizens within its jurisdiction from fire and personal injury. Generally speaking, a fire department is responsible for the administration of programs that focus on activities such as fire suppression, fire prevention, fire communications, fire investigation, fire training and other related assigned duties.

Fire is a major local as well as a state concern. Fires claim between 120-160 lives annually in the State of Maryland. Each year between twenty and forty million dollars worth of property is damaged or destroyed throughout the State by fire. Under these circumstances, it may be well to ask whether governmental jurisdictions are doing all they should to lessen the danger of destructive fires? Are existing methods for preventing and suppressing fires adequate? Are fire fighters receiving sufficient training? Are current fire communication techniques adequate? These are some of the questions being asked by fire experts as well as governmental officials on all levels.

This report is descriptive in nature. Emphasis of the report centers on the different types of fire services available at the state, county and municipal levels. The Fire Prevention Board and Fire Marshal's Office comprise the major operating units at the state level that are concerned with the function

of fire.[1] Although all counties have fire companies, only the five urban counties have organized fire departments with both paid and volunteer firemen. Another component of the fire function is situated at the municipal level and a section of this report describes the type of arrangements that exist. One factor that should be remembered throughout any discussion of the activities dealing with fire is that many volunteer fire companies have been organized independently of government and set their own limits concerning territory they would serve. Only recently have governments expanded their roles with regard to the problems of fire protection.

FIRE PROTECTION - STATE LEVEL

Fire protection activities at the state level began around 1896 with the establishment of the State Fire Marshal's Office as an independent agency. In 1929, the office was abolished and the duties originally carried out by the State Fire Marshal were assigned to the State Insurance Commissioner as ex officio State Fire Marshal. During the 1963 Session of the General Assembly, a resolution was passed that requested the Legislative Council to undertake a study of fire prevention and the Fire Code.

As a result of this study, enabling legislation was enacted by the General Assembly during the 1964 Session to establish a State Fire Prevention Commission and the State Fire Marshal's Office as independent agencies. With the advent of a system of principal departments in the executive branch of

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[1]The Fire Service Extension Department which is part of the College of Engineering of the University of Maryland is involved with the training of fire personnel and is covered later in this report. The Forest Service located in the Department of Natural Resources is responsible for a program of forest fire control, but it is not covered in this report.

the state government in 1969, the Fire Prevention Commission and the Fire Marshal's Office were placed in the Department of Public Safety and Correctional Services (see Chart 1, page 4).

Fire Prevention Commission

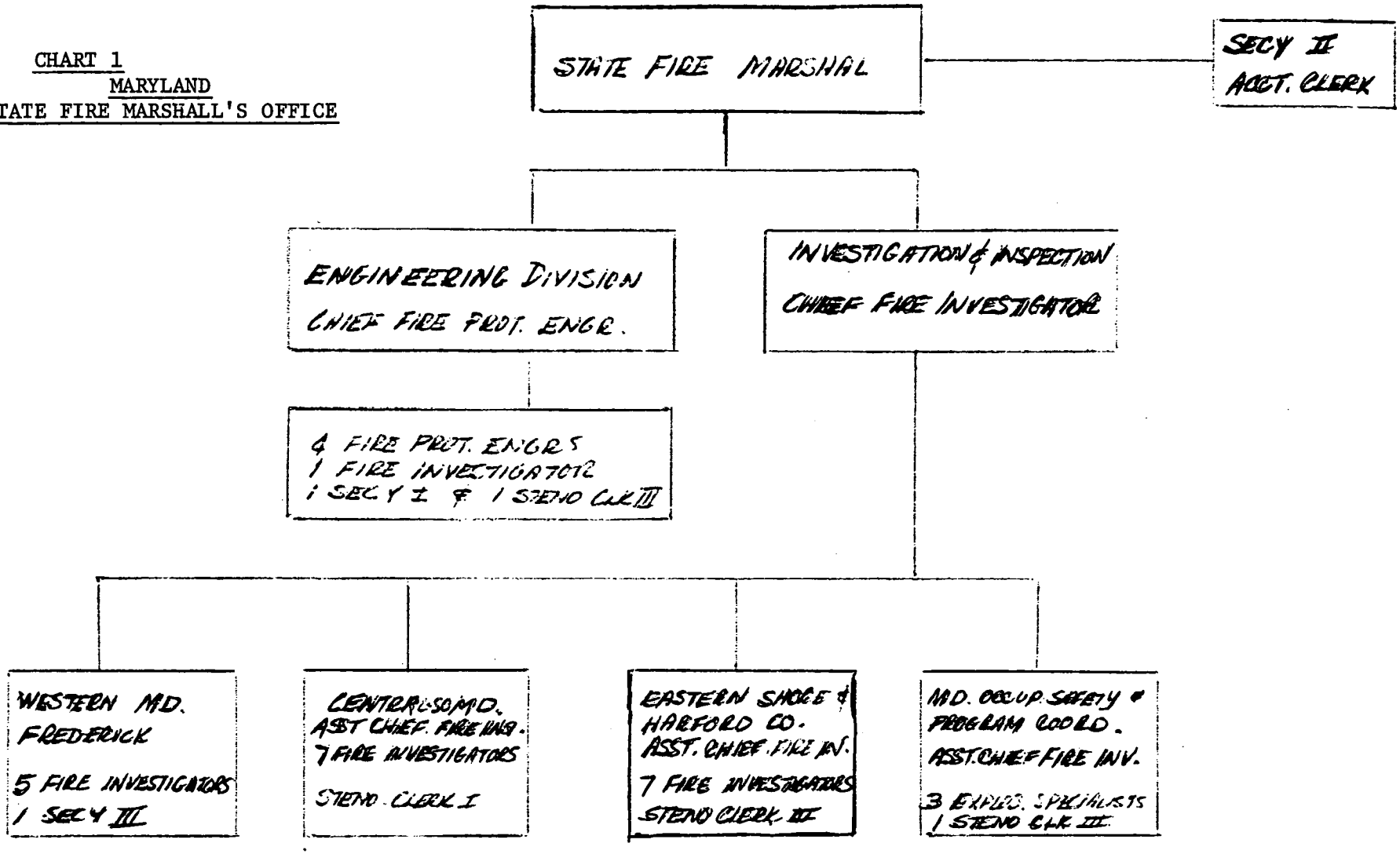
The Fire Prevention Commission was created by Chapter 46, Laws of Maryland, 1964, which is now part of Article 38A of the Annotated Code of Maryland. Seven persons, qualified by experience and training, make up the membership of the Commission. Of the seven members of the Commission, three must be members of paid or volunteer fire companies; three members of the Commission must be representatives of industry and one member is chosen to represent the general public's interest. In addition, five of the seven members of the Commission must represent the following regions of the State:

1. Western Maryland - the Counties of Garrett, Allegany, Washington, Frederick, and Carroll.
2. Central Maryland - the Counties of Harford, Baltimore, and Howard.
3. Southern Maryland - the Counties of Anne Arundel, Calvert, Charles, and St. Mary's.
4. Washington Metropolitan Area - the Counties of Montgomery and Prince George's.
5. Eastern Shore - the Counties of Cecil, Kent, Queen Anne's, Talbot, Caroline, Dorchester, Wicomico, Somerset, and Worcester.

The remaining two members are to be appointed to represent the State at large.

Broad objectives of the Fire Prevention Commission are the prevention of fire, control of explosives, investigation of fires for enforcement of

CHART 1
MARYLAND
STATE FIRE MARSHALL'S OFFICE



SOURCE: Maryland State Fire Marshal's Office

Received: August 26, 1974

arson statutes, and other related activities. These objectives are to be achieved through the activities of the personnel assigned to the Fire Marshal' Office. Programs include:

1. Fire prevention inspections.
2. Investigation of fires.
3. Investigation of explosive devices.
4. Instruction regarding fire safety procedures.
5. Control over the sale of hazardous materials and fire control equipment.
6. Enforcement of fire code requirements.
7. Consultation with other governmental entities regarding fire prevention matters.
8. Issuance of licenses for certain activities.
9. Compilation of fire loss data.
10. Liaison between fire departments and other agencies.

Section three of Article 38A of the Annotated Code of Maryland gives the Commission the power to promulgate, amend and repeal regulations for the safeguarding of life and property from the hazards of fire and explosion. It is also the Commission's responsibility to devise standards of good practices for fire prevention and fire protection which apply to all political subdivisions of the State.[2] However, the Commission's requirements are considered minimum. Interpretation and application of the provisions of any other statue or local regulation may be more stringent. It is also possible for a local jurisdiction to impose higher standards than are required by any regulations promulgated by the Commission, provided they are not inconsistent

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[2]Baltimore City is an exception.

with those of the State.

At least one public hearing concerning proposed regulations must be held before adoption of a State Fire Prevention Code or amendments thereto. Annual reports of the State Fire Prevention Commission are transmitted to the Secretary of Public Safety and Correctional Services and to the Governor.

Fire Marshal

The Office of Fire Marshal is also located within the Department of Public Safety and Correctional Services. The State Fire Prevention Commission, with the approval of the Secretary of Public Safety and Correctional Services, appoints a State Fire Marshal for a six year term. A person in this position is not subject to the provisions of Article 64A of the Annotated Code of Maryland and can be removed by the Commission with the approval of the Secretary of Public Safety and Correctional Services at any time for neglect of duty or other conduct unbecoming his office.

The State Fire Marshal, through the delegation of authority that is vested in the State Fire Prevention Commission and within the policies established by the Commission, is responsible for the implementation of fire safety programs in the State designed to minimize fire hazards and disasters, and loss of life and property from these causes. These responsibilities include but are not limited to the establishment and enforcement of fire safety practices throughout the State; preventive inspection and corrective activities; coordination of fire safety programs with volunteer and paid fire companies, other state agencies, and political subdivisions exercising enforcement aspects; and critical analysis and evaluation of Maryland fire

loss statistics for determination of problems and solutions.

Organizationally, the Fire Marshal's Office is structured to focus on two major program areas--fire protection and fire investigation (see Chart 1, page 4). Fire investigation is the larger of the two operations. The state fire investigators have jurisdiction in all cases of fire and provide investigative services to counties. Bomb and explosive experts affiliated with the investigative section respond to incidents involving explosive and incendiary devices. In addition, these experts train police and fire personnel to understand and handle bombs and other explosive devices.

The fire protection section within the Fire Marshal's Office is responsible for fire protection engineering and inspection of buildings to determine compliance with the State Fire Prevention Code. This section reviews construction plans for state institutions and other buildings to insure compliance with all fire regulations.

Expenditures of the Fire Prevention Commission and Fire Marshal's Office over the past several fiscal years are as follows:

	Actual FY-71	Actual FY-72	Actual FY-73	Approp. FY-74	Allowance FY-75
No. of Authorized Positions	26	30	30	32	34 *
Salaries and Wages	$222,774	$275,079	$306,524	$336,640	$353,047
Operating Expenses	67,956	46,146	42,778	80,192	88,940
Total Expenditures	$290,730	$321,225	$349,302	$416,832	$441,987

* Non-budgeted funds from the federal government will provide five additional positions.

A concentrated effort by the State to help alleviate the problems posed by the threat of fire did not commence until the mid-60's. Primary

responsibility for fire prevention, fire suppression, and fire safety education appears to remain within the local governments. The following is a brief description of the situation on the county and municipal levels as it relates to the fire function.

FIRE PROTECTION - COUNTY LEVEL

Only five of the twenty-three counties in the State have some type of organized fire department for the county. All five county fire departments (Anne Arundel, Baltimore, Howard, Montgomery, and Prince George's) are located within either the Washington or Baltimore metropolitan areas where the need for fire services continues to increase. Because of the extent of development and the number of people in these counties, the trend has been in the direction of paid career personnel rather than volunteer fire fighters.

This trend becomes even more apparent when certain statistics are viewed. For example, there are approximately 20,000 volunteer fire fighters in the State of Maryland. The five urban counties, plus Baltimore City (which has all paid career personnel), contain over three-fourths of the State's population but have less than fifteen per cent of the total volunteers. In order to provide an overview of fire protection services at the county level, a brief description of the fire function in certain counties follows.

Anne Arundel County

Functions and duties of the Anne Arundel County Fire Department consist of responsibility for the administration of the affairs of the county

in fire suppression, fire prevention, and fire training. The authority for fire administration, the Fire Advisory Board, along with activities of the fire department is found in the Anne Arundel County Code under the heading Fire Department, Sections 545, 546, and 547. The official in charge of the county fire department is the Fire Administrator who is appointed by the County Executive from a list of at least three nominees submitted by the Fire Advisory Board. An individual in this position is directly responsible to the County Executive.

The Fire Advisory Board consists of five members selected by the Anne Arundel County Volunteer Firemen's Association. The duties of the Board include nominating three persons for the post of Fire Administrator and advising and consulting with other county officials and employees from time to time on matters concerning the administration of fire suppression, fire prevention, fire training and communications activities.

Organizationally, the fire department is organized into five major operating areas that include Prevention, Investigation, Suppression, Training, and Communications (see Chart 2, page 10). The department is made up of approximately 656 persons. Of this number, the paid staff numbers 256 while the volunteers number 400.

The Fire Suppression Division is the largest single division of the department in terms of personnel and expenditure. Responsibility of the Division centers upon assisting in manning fire companies, combatting fire, providing ambulances and rescue service, and maintaining fire and rescue equipment.

Activities in the areas of prevention and investigation have recently

Chart 2
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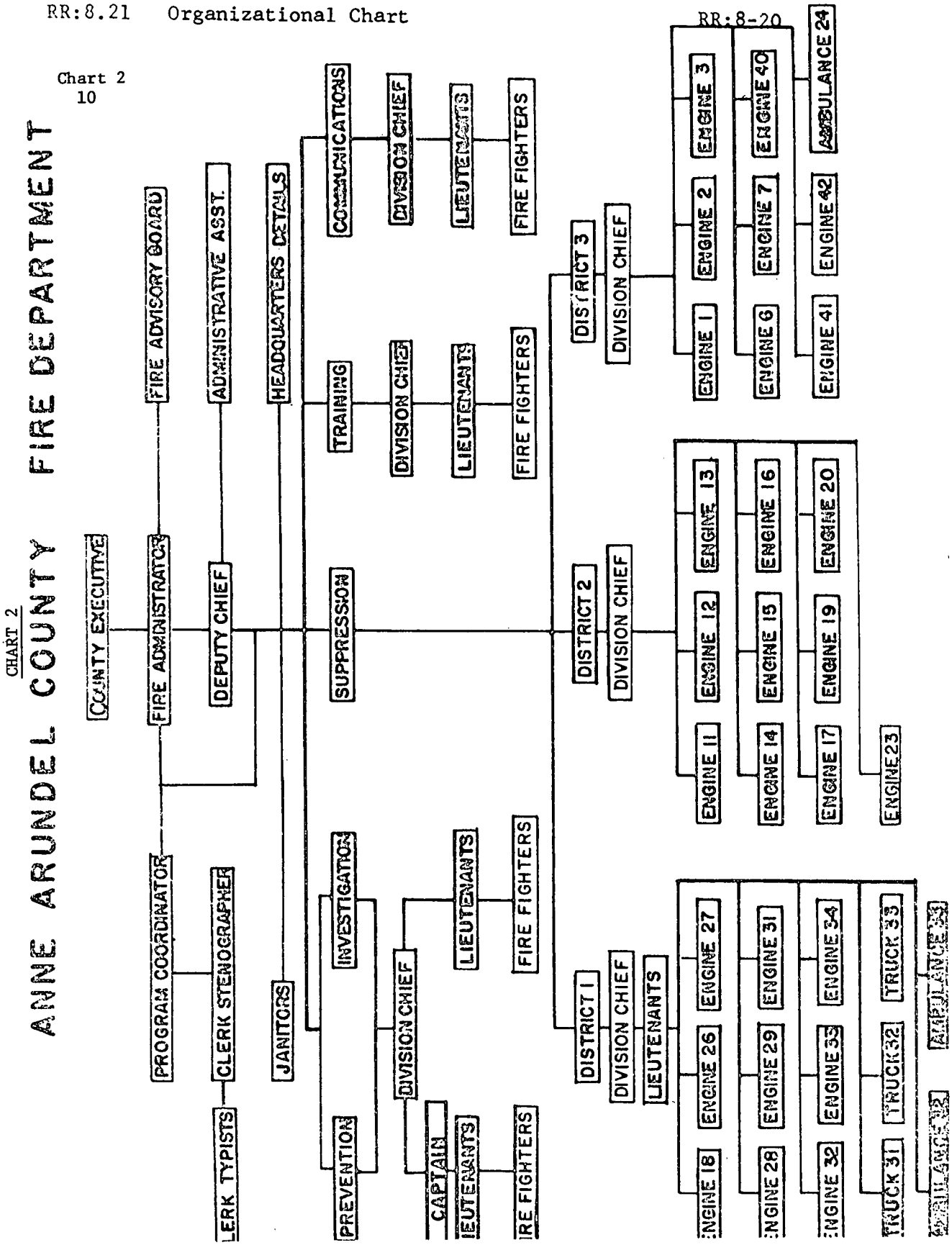
CHART 2
ANNE ARUNDEL COUNTY FIRE DEPARTMENT
COUNTY EXECUTIVE
FIRE ADVISORY BOARD
FIRE ADMINISTRATOR
ADMINISTRATIVE ASST.
DEPUTY CHIEF
PROGRAM COORDINATOR
CLERK STENOGRAPHER
LERK TYPISTS
HEADQUARTERS DETAILS
JANITORS
COMMUNICATIONS
DIVISION CHIEF
LIEUTENANTS
FIRE FIGHTERS
TRAINING
DIVISION CHIEF
LIEUTENANTS
FIRE FIGHTERS
SUPPRESSION
INVESTIGATION
PREVENTION
DIVISION CHIEF
CAPTAIN
IEUTENANTS
LIEUTENANTS
FIRE FIGHTERS
IRE FIGHTERS
DISTRICT 3
DIVISION CHIEF
ENGINE 1
ENGINE 2
ENGINE 3
ENGINE 6
ENGINE 7
ENGINE 40
ENGINE 41
ENGINE 42
AMBULANCE 24
DISTRICT 2
DIVISION CHIEF
ENGINE 11
ENGINE 12
ENGINE 13
ENGINE 14
ENGINE 15
ENGINE 16
ENGINE 17
ENGINE 19
ENGINE 20
ENGINE 23
DISTRICT 1
DIVISION CHIEF
LIEUTENANTS
ENGINE 18
ENGINE 26
ENGINE 27
ENGINE 28
ENGINE 29
ENGINE 31
ENGINE 32
ENGINE 33
ENGINE 34
TRUCK 31
TRUCK 32
TRUCK 33
AMBULANCE 22
AMBULANCE 23

been combined into the Division of Investigation and Inspection (not found on Chart 2, page 10). The duties and responsibilities of this new Division require it to enforce the provisions of the Anne Arundel County Fire Prevention Code; investigate all complaints regarding fire hazards; conduct programs designed to educate the public in matters pertaining to fire and its prevention; provide means of improving the present Fire Prevention Code; conduct tests of fire protection systems in commercial and public buildings; and coordinate all cases with the State's Attorney's Office.

Communications (Central Fire Alarm) has the responsibility for receiving all emergency calls for fire, rescue and ambulance service from Anne Arundel County and the City of Annapolis. Constant direct contact must be maintained by the communications center with various county fire stations, the one county rescue squad, and the four fire companies in the City of Annapolis. It is through the Communications Division that all suppression activities of the county fire department are coordinated. In cases where outside assistance is required from surrounding fire agencies, a direct telephone system connects these agencies with the communications center when necessary.

The Training Division is responsible for providing both paid and volunteer personnel of the fire department with professionally oriented and comprehensive training programs (see Chart 3, pages 12-13 for the subjects and number of hours of training required). In addition, the Training Division develops standard operating procedures, the purpose of which is to coordinate fire ground operations and thereby reduce fire losses.

Subjects and Number of Hours of Training Required at Fire Academy for Probationary Paid Personnel

CHART 3

Subject	Hours
Pompier Ladders (Towers)	28
Ropes and Knots	14
Grnd Ladders	32
Rescue Knot	7
Salvage/overhaul	7
Rope work - Tower	28
Aerial Ladder Operation	4
Hose Evalution	28
Water Tower Operations	4
Forcible Entry	4
Fire Streams	7
Sprinklers	14
Standpipes	7
Ventilation (Class)	14
Safety Techniques	3
Protective Breathing	28
Flammable Liquids Class Rm	3
Flammable Liquids	25
Structual Fire Fighting	14
Power Saws	4
Stretchers (Rescue)	4
Mewshaw Fitting	4
Burning Tools	4
Porta Power	4
Rope work (Rescue)	4
Winch Operations	4
Pumper Hook Up	4

CHART 3 (Cont.)

EMT (Attached Lesson Plan)	80
Fire Prevention	40
Fire Codes and Ordnances	
Building Construction	
Fire Extinguishers	
Inservice Inspection	
Pre Fire Planing	
Hazardous Materials	
Forestry	12
Practical Evolutions (Suppession)	8
Fire Investigations	12
Air Port Procedures/Crack - Re	12
Elevator Emergencies	4
Foam	4
Helecopter Evacuation	4
Communications	4
Gas and Electric Emergencies	4
Oil Burner Emergencies	4
Master Stream Appliances	4
Defensive Driving	7
Driver Training	8
National Fire Protection Association	1
TOTAL HOURS	511

Cost to Anne Arundel County Government for fire protection is as follows:

	FY-72	FY-73	FY-74
Salaries	$2,372,706	-	-
Operating Expenses	1,175,269	-	-
Capital Outlay	171,600	-	-
	$3,719,575	-	-

Activities

	FY-72	FY-73	Estimate FY-74
Administration	$ 98,580	$ 103,660	$ 139,690
Suppression	2,908,110	3,694,790	4,485,890
Investigation	186,860	190,820	227,860
Communication	351,370	385,210	435,610
Training	39,820	71,310	60,670
Fire Hydrant Maintenance	134,840	142,000	156,830
	$3,719,580	$4,587,790	$5,506,550

Montgomery County

The Montgomery County Department of Fire and Rescue Services was created in January, 1973. Creation of a single department of fire and rescue services was accomplished in order to provide central responsibility for decision-making and coordination of all fire and related services provided by the county government. The department has the responsibility for all functions and activities pertaining to fire prevention, including those of the fire marshal, fire/rescue dispatch service, and the training of personnel.

The Fire Board is the major policy making body for the department and is responsible for planning, directing, and coordinating the fire and

rescue service in the county. The Board consists of the Chief of each of the sixteen fire districts and two rescue squads, and one elected delegate from each district and squad. The Director of the county department of fire and rescue services serves as Executive Secretary to the Fire Board.

A major objective of the Fire Board is to improve the effectiveness of the sixteen fire departments and two independent rescue squads in Montgomery County by promoting operational uniformity in standards of service. The Board approves response areas for the departments and squads. It is also the responsibility of the Board to establish and maintain training and personnel standards, fire and rescue service maps, and uniform budgeting and reporting procedures. All activities of the Board are considered important steps in promoting standards of service.

Within the county department, the Division of Fire Prevention operates to improve the public's safety through fire code enforcement, investigation of fire causes, and public education to fire hazards. The Division is also responsible for administering all laws and regulations related to fire prevention and fire safety of Montgomery County and the State of Maryland. During FY-74, a program was designed to allow data input to a regional data bank of fire investigation reports. Reports of fires, investigated by the Fire Prevention Division, are processed by the National Bureau of Standards under a computerized system developed by regional fire officials. As estimated by department officials, the per capita fire loss for Montgomery County is $6.48 as compared to the estimated national figure of $12.81.

Montgomery County has a very active training program with 13,000 man

hours taught during FY-74. The total number of manpower hours for FY-75 with the Training Academy in full service is expected to be 38,580, of which 24,080 hours will be going to rescue squad training. Included in the training program are in-service training programs, recruit training programs, emergency medical training, general firemenship, and paramedic programs.

Funds to operate the individual fire districts are obtained through a specific tax levy. In the past, individual fire districts prepared their own budgets. The County Council had to set the tax rate to meet budget demands. Even though the Council had the option to hold public hearings on the proposed budget, there were no provisions for real budgetary review. Currently, fire departments make recommendations which are reviewed by the Fire Board and then submitted to the County Executive for submission to the County Council.

The costs of fire protection over the past three fiscal years are as follows:

	FY-72	FY-73	FY-74
Salaries	$4,614,620	$5,314,460	$6,515,340
Operating Expenses	1,947,212	2,566,245	3,325,410
Capital Expenditures	543,581	585,425	545,700
Fire Districts Total	$7,105,413	$8,466,310	$10,386,450
County Fire Department	588,593	683,210	1,153,250
Total Fire Protection	$7,694,006	$9,149,520	$11,539,700

Harford County

Harford County is served by the ten (10) volunteer fire companies. Two of these companies are physically located in Pennsylvania, but they provide protection to that portion of the county to which they are closest. Coordination of county fire suppression activities is accomplished by the Harford County Fire Chiefs' Association which establishes equipment and training standards and administers the county's central alarm facility. The size of the force consists of 600 volunteers who are responsible for all fire suppression and fire prevention and rescue services functions.

Training of Harford County volunteer fire fighters is accomplished by taking advantage of the courses offered by the University of Maryland's Fire Service Extension Department. It is felt by Harford County fire officials that the regional training center concept presently being implemented by the University's Fire Service Extension should be expanded in order to accomplish the type of training needed by all fire fighters.

In addition to the need for improved training facilities at the county level, more funds are always needed to operate the companies offering fire protection to the residents of the county. At present, the major thrust of the companies is to keep pace with the rapidly expanding population and development while continuing to maintain a volunteer force that results in a cost savings to residents of the county.

The costs to the county government for providing fire protection over the past few years are as follows:

	FY-69/70	FY-70/71	FY-71/72	FY-72/73	FY-73/74
Salaries	$ 42,698	$ 46,630	$ 51,019	$ 53,735	$ 69,131
Operating Costs Paid with County Funds	89,894	105,709	112,792	116,990	135,375
Total	$132,592	$152,339	$163,811	$170,725	$204,506

The budget has shown a 55% increase over the past four years with the largest increase being 20% between FY-73 and FY-74. These funds are requested from the county by the Harford County Fire Chiefs' Association (HCFCA). All salaries are those of the central alarm dispatchers who are county employees, supervised by the HCFCA. Operating expenses include costs associated with operation and the maintenance of the central alarm facility and an appropriation to each fire company.

Washington County

Fire protection and related services are handled by fourteen (14) volunteer fire companies and five (5) ambulance companies in Washington County. The county also has one air truck unit that is operated by volunteers. Other responsibilities of the 1,000 volunteer fire force include fund raising projects, fund solicitation, fire ground training, and fire inspection and rescue services. Budgets for fire protection vary from company to company. Those companies providing protection to large populated and industrial areas have the largest budgets. Budgets over the last five years for fire companies range from a low of $3,000 to a high of $14,000 in FY-69 to a present range of $7,000 to $30,000. Revenue for the companies is obtained in the following manner: 25% from the county government, 50% from fund raising projects, and 25% from door to door

solicitation. Limited budgetary control is exercised by a committee of the Washington County Volunteer Firemen's Association which coordinates all fire company requests and presents them to Washington County Commissioners. This procedure has proven helpful to inform the Commissioners on expenses and needs of each company.

Minimum personnel requirements differ from company to company. Companies, at present, do not require each new man to take the basic fire course within one year of becoming a member. Minimum training standards have not been established for volunteers, however, each fire company has one or two nights a month when individuals participate in company training. Because of travel distance likely to be involved, the idea of a central training center for all fire fighters in the State of Maryland was not viewed favorably by a county fire official. The University of Maryland conducts training classes at local facilities in which firemen participate. This is done with help and cooperation from the Washington County Volunteer Firemen's Association Training Committee.

In terms of interdepartmental cooperation, a number of arrangements are in effect. All county fire companies have mutual aid arrangements with out-of-state and/or out-of-county fire departments. Fifty percent of North East Washington County (District 7) fires are covered by the Blue Ridge Summit Fire Company of Pennsylvania.

Major differences exist over the central alarm system which is being planned for the county fire companies and rescue squads. There is a central communication station operating in a fire station of the county at present with paid personnel from the City of Hagerstown. A merger with the county

system was planned, but differences have developed over salaries and loss of seniority by city employees by virtue of being transferred to county employment. Results of this dispute may mean two central alarm systems, one for the city and one for the county. A county official felt that this problem could be resolved by adding manpower and money to the city to handle all county alarm calls.[3]

Washington County volunteer fire companies face two major problems that have a substantial impact upon fire protection. First, with expanding development, specifically industrial growth, funds in support of the fire companies and their needs have not kept pace with the county's growth. Since sprinkler systems are installed in commercial and industrial buildings, some merchants are not concerned about the location of a fire station. With this attitude, solicitation of funds for fire companies from merchants and industry is difficult. Second, volunteer fire companies lack manpower during the day. In numerous cases, two companies are called in order to get the needed manpower.

Kent County

A rural county with a population of 16,146, Kent County is served by six fire companies that contain approximately forty volunteer members each. Specific geographic areas are assigned to each company. Each company then has primary responsibility for fire protection and rescue service throughout that area. The companies are organized in the following manner:

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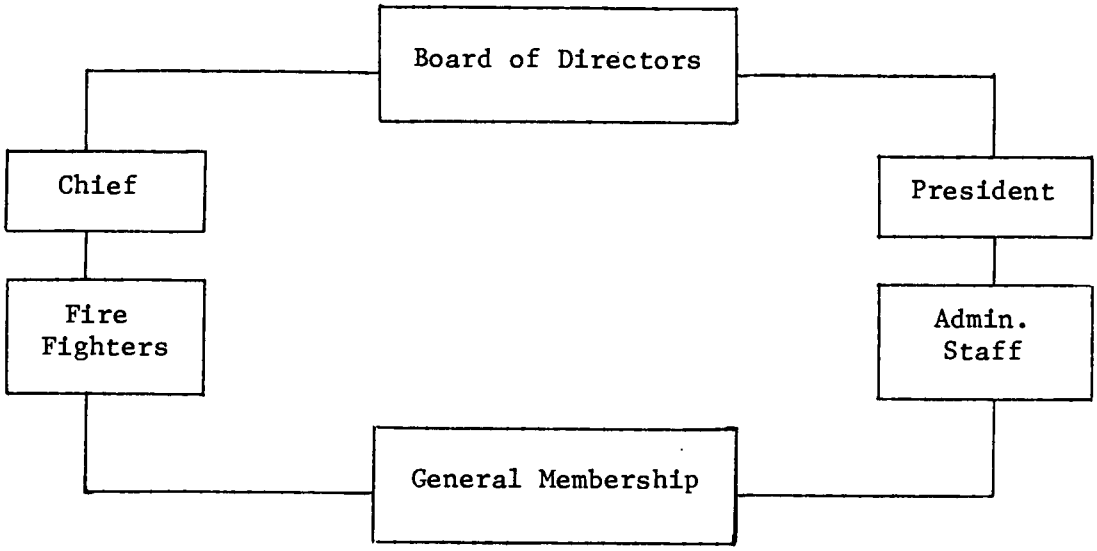
[3]Information received from the State Fire Marshal's Office indicates the problem has been resolved. Details of the agreement at this time are not known.



The fire company's budget is prepared by the Chief with final authority for approval being exercised by the Board of Directors. Funds are raised through bazaars and membership dues with an annual appropriation from the Board of County Commissioners. Budget figures for the past five years are as follows:

	FY-70	FY-71	FY-72	FY-73	FY-74
Operating Expenses	$2,100	$2,100	$3,600	$3,278	$3,545
Capital Outlay	4,000	4,000	4,090	4,440	4,800
Total Expenditures	$6,100	$6,100	$7,690	$7,718	$8,345
Sources of Funds					
County	$3,500	$3,500	$3,500	$3,750	$4,000
Fire Company	2,475	2,575	3,962	3,870	4,200
Total	$5,975	$6,075	$7,462	$7,620	$8,200

New members of the fire companies must complete a Basic Firemen's Training Course (60 hours) within two years. This requirement is enforced by line officers. On the whole matter of training, fire officials in the

county feel that a regional approach to training should be utilized rather than a central training center for all fire fighters in the State.

Cooperation among the companies exists in the form of mutual aid. All company Chiefs belong to the County Chiefs Association which meets monthly to discuss and act on countywide problems. Cooperation between the county fire officials and the State Fire Marshal's Office in handling major problems is said to be satisfactory.

As in other jurisdictions, the number one problem facing the volunteer fire companies is manpower. The problem is not as severe for actual fire fighting as it is for fund raising and routine operations. This being the case, the major emphasis in the county is to fight fires after they occur with little or no time for preventive measures.

FIRE PROTECTION IN BALTIMORE CITY

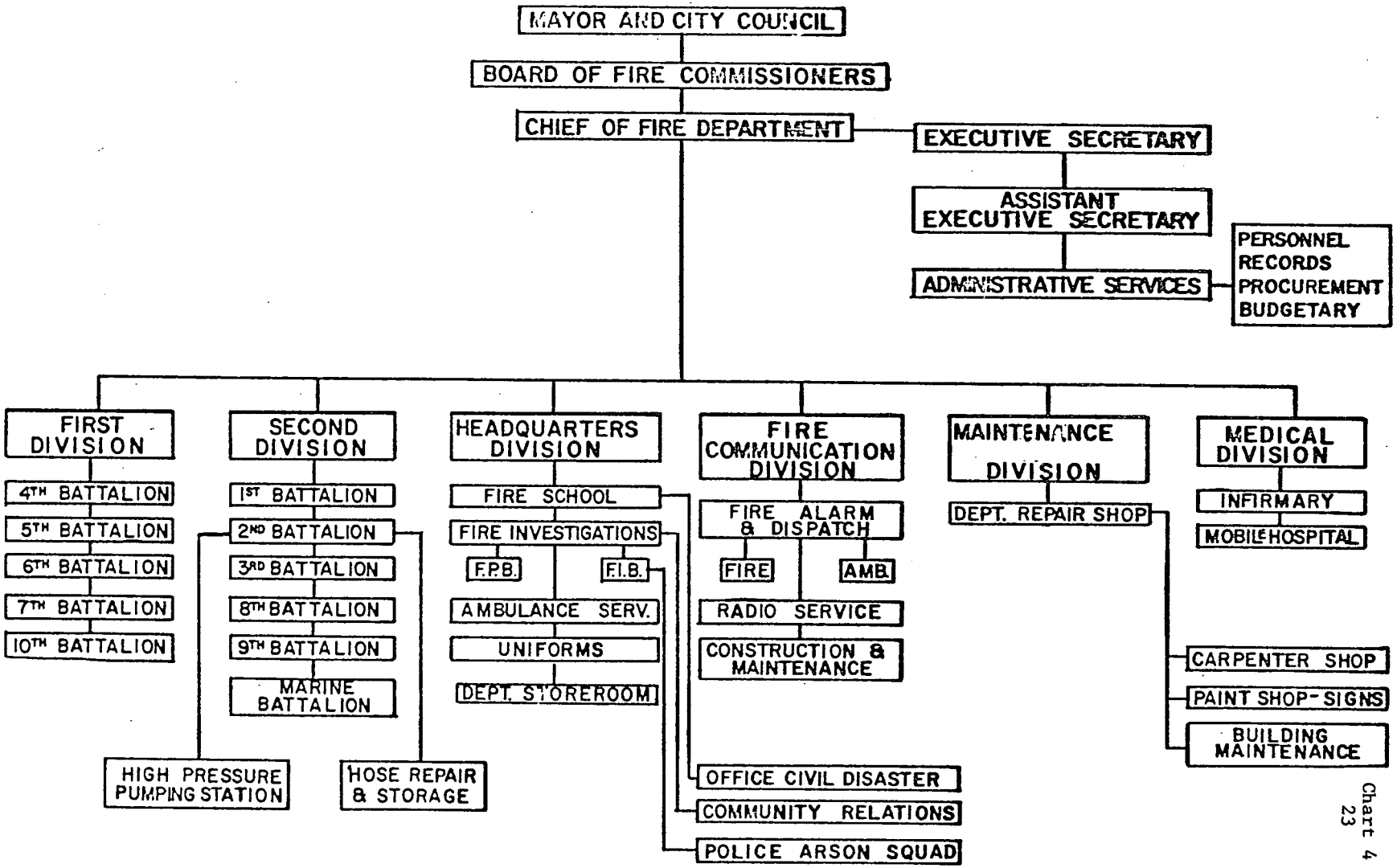
Fire protection in Baltimore City is provided through the fire department which is staffed entirely by paid professionals. Personnel in the department number 2,298 and required an expenditure for salaries in FY-73 of $25,673,362 of a total budget of $27,151,072 or 95%. Organizationally, the department is headed by a Board of Fire Commissioners with the Chief of the Fire Department responsible for the six operating divisions of the department (see Chart 4, page 23).

Approximately 100 companies are responsible for fire suppression throughout the City. Each company is made up of 21 fire fighters. Twenty-four hour coverage is provided by a seven man group working rotating shifts that provide for ten hour work days, fourteen hour work nights, and days off.

CHART 4

BALTIMORE CITY FIRE DEPARTMENT

ORGANIZATIONAL CHART



Annual leave and sickness is provided for because five members of the seven man team can usually handle all normal calls.

According to fire department officials, the reduction in the loss of life due to fire is the result of revised response procedures that were implemented two years ago. The number of units responding to each alarm has been expanded. By placing six vehicles at the scene of the fire instead of two, a greater number of units and manpower are available earlier.

The fire department's sixteen ambulances responded to 65,886 calls during last year to average approximately 4,000 runs per ambulance. Two additional ambulances were placed in service during FY-74 to better meet the demand for emergency medical service in the City. Almost all personnel assigned to the ambulance service have been fully trained and certified by the State of Maryland as Emergency Medical Technicians (EMT). This certification is granted only upon successful completion of an intense 81 hour course in the advanced areas of medical care, first-aid, and various treatment techniques. Graduates of the EMT Training are well versed in and able to diagnose medical problems and treat same while conveying the patient to a hospital.

The training activities of the fire department have been reviewed and updated to include the latest techniques in fire fighting, first-aid, rescue and extrication, pumping, ventilation, and effective but safe driving when exposed to emergency conditions. As previously mentioned, basic fire fighting training has been expanded to include the 81 hour course in Emergency Medical Techniques for ambulance personnel.

Retraining activities continue on a regular basis with all ranking

personnel required to attend five special training sessions each year at the City Training Academy. These sessions are devoted to refresher material as well as innovative development. All companies return to the Academy at least four times per year for refresher training in addition to two training sessions each week in the fire station with the official in charge acting as the instructor.

The total cost to operate the City Fire Department during FY-73 was $27,151,072. A breakdown of these and other budget figures are as follows:

	FY-71	FY-72	FY-73	FY-74 *
Salaries	$23,645,090	$24,378,132	$25,673,362	$27,106,106
Operating Expenses	927,413	1,458,179	1,477,710	1,586,888
Total Expenditures	$24,572,503	$25,836,311	$27,151,072	$28,692,994

* Appropriated

FIRE PROTECTION AT THE MUNICIPAL LEVEL

Fire service can be a major facet of municipal government. According to Article 23A, Section 2, of the Annotated Code of Maryland, municipalities are granted the power, "to preserve peace and good order, to secure persons and property from danger and destruction, and to protect the health, comfort and convenience of the citizens of the municipality." Section 2 (12) of the same Article grants municipalities specific authority, "to establish and maintain a fire department; and to provide for the removal of fire hazards."

The size of the municipality usually determines the type of fire service that is needed. There are considerable variations that exist in the

type of fire departments found in the State. As with other functions of government, the main concern appears to be centered on administrative control, and sources of funds for fire protection. Administrative control is dependent upon whether the fire company is a private incorporated company of volunteers or a municipal government operation.

Sources of revenue are extremely diverse. Private incorporated fire companies may receive funds from local governments or fire district funds, but they also rely on gifts, subscriptions, carnivals, bingo, and other money raising activities. On the other hand, a few municipal fire companies are maintained and operated by the government and are financed from tax sources.

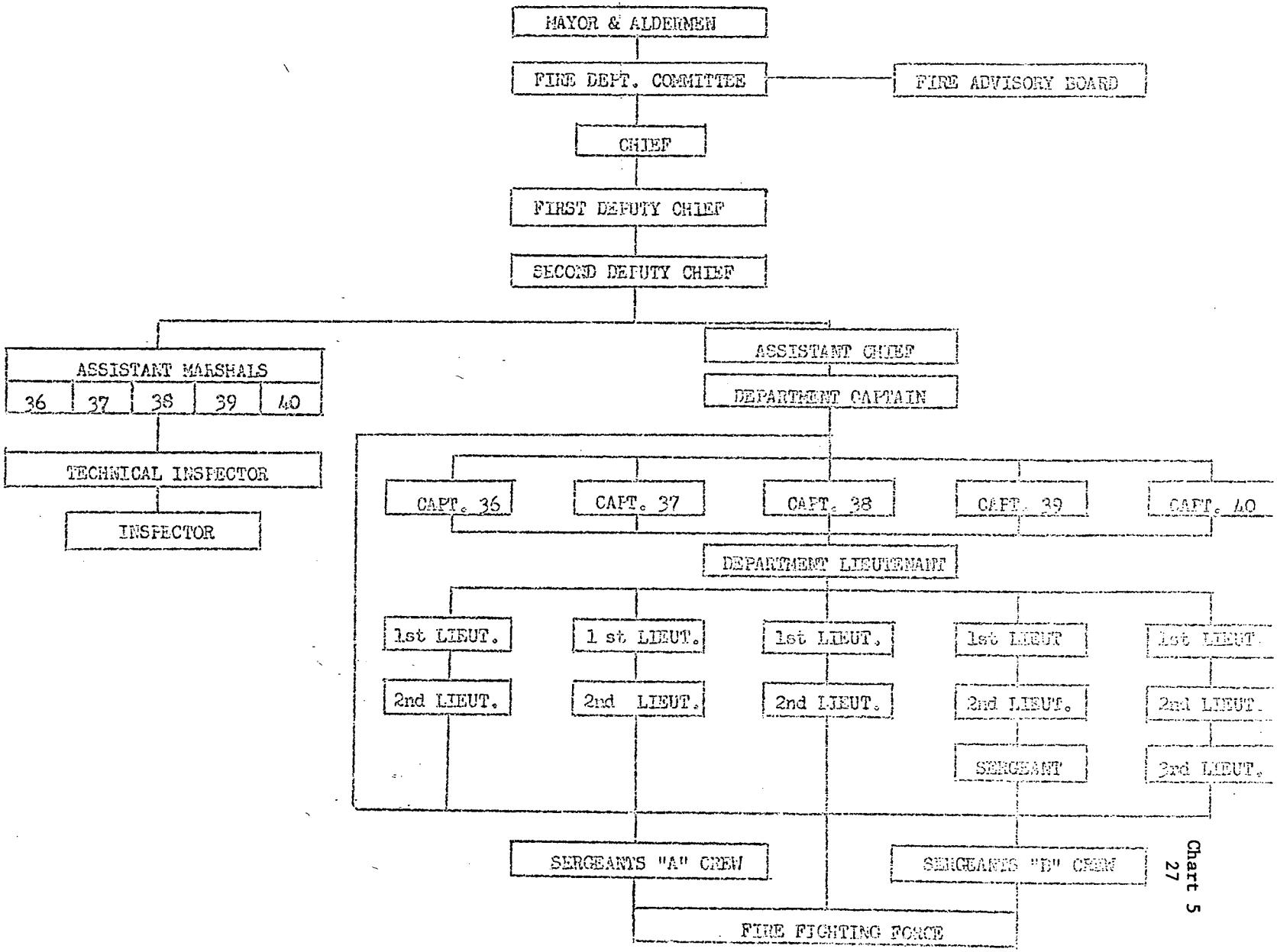
The following material provides information concerning fire protection at the municipal government level.

Annapolis

The Annapolis Fire Department has a combined force of ninety personnel that includes 65 career professionals and 25 volunteers. Organizationally, the department is headed by a committee which is under the direct control of the Mayor and Board of Aldermen (see Chart 5, page 27).

Each company within the fire department determines any minimum personal requirements for volunteer fire fighters. The same is true of training requirements for volunteer fire fighters. Paid fire fighters, on the other hand, must be between the ages of 19 and 35, good physical condition, and be a high school graduate. Developing a practical knowledge of approved fire fighting and rescue techniques is accomplished through a 10-18 week training course at the Anne Arundel County Fire Training Center.

CHART 5


MAYOR & ALDERMEN
FIRE DEPT. COMMITTEE
FIRE ADVISORY BOARD
CHIEF
FIRST DEPUTY CHIEF
SECOND DEPUTY CHIEF
ASSISTANT MARSHALS
36
37
38
39
40
TECHNICAL INSPECTOR
INSPECTOR
ASSISTANT CHIEF
DEPARTMENT CAPTAIN
CAPT. 36
CAPT. 37
CAPT. 38
CAPT. 39
CAPT. 40
DEPARTMENT LIEUTENANT
1st LIEUT.
1 st LIEUT.
1st LIEUT.
1st LIEUT
1st LIEUT
2nd LIEUT.
2nd LIEUT.
2nd LIEUT.
2nd LIEUT.
2nd LIEUT.
SERGEANT
3rd LIEUT.
SERGEANTS "A" CREW
SERGEANTS "B" CREW
FIRE FIGHTING FORCE

According to an official of the Annapolis Fire Department, the University of Maryland's Fire Service Extension could certify training programs at established and approved city/county training centers. Where training facilities are non-existent, the Fire Service Extension could establish regional training sites.

At present, there are differences of opinion as to the type of cooperation that exists between the City Fire Department and the State Fire Marshal's Office. The basic relationship with the State is with regard to the protection of state owned structures in the City. Since inspections are carried out jointly by the Fire Marshal's Office and the City Fire Department, the question of possible duplication of effort was raised.

The main thrust of the department is in the area of fire prevention, including critical plans and review of new construction to develop fire-safe buildings, rather than facing the problem after the fact. Public education is stressed in community wide activities to stimulate fire prevention work.

Revenues for the operation of the fire department come from the general fund of the City. The budgets for the past five years are as follows:

	FY-70	FY-71	FY-72	FY-73	FY-74
Salaries	$355,375	$420,185	$455,775	$541,584	$656,839
Operating Expenses	143,145	162,978	194,543	251,420	199,379
Total	$498,520	$583,163	$650,318	$793,004	$856,218

Cumberland

The City of Cumberland has a paid fire fighting force of 70 members. A Fire Chief, responsible to the Commissioner of Fire, is in charge of the

administration and operation of the fire department. The actual fire fighting divisions are organized into three shifts with a crew supervisor at the head of each crew (see Chart 6 , page 30) operating out of four stations.

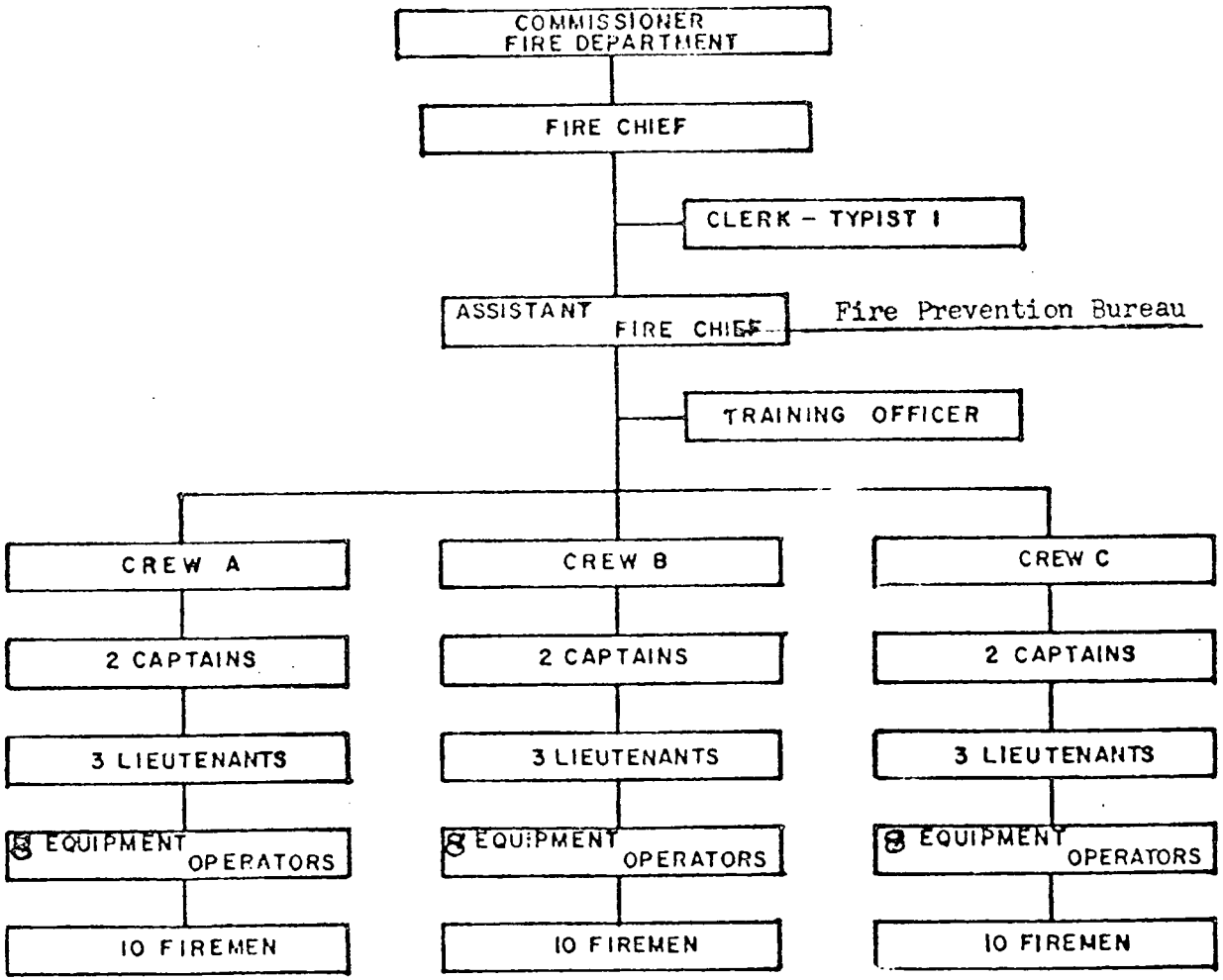
The Fire Prevention Bureau is composed of one Fire Inspector and assisted by officers and members of Fire Fighting Divisions. The function of the Fire Inspector and the Bureau is to carry out the Fire Prevention Code of the City of Cumberland which is adopted by Mayor and City Council.

Training activities are carried out by the Training Officer with the assistance of certain departmental officials. The major objective of the training program is to provide a background knowledge required of each member to perform the duties of a paid fire fighter. To maintain this posture, the department, through the Training Officer, conducts in-service training programs throughout the year. Training is given at fire headquarters, fire stations, and other designated spots within the city limits. The department has adopted the training program of the University of Maryland which consists of basic fire fighting, intermediate fire fighting, advanced fire fighting, officer training, first-aid, and rescue.

In evaluating the departmental operations, the following was stated:

> Because the department has a manpower shortage, programs, that should not be, are combined. The fire fighting division is well-equipped, has well trained personnel, does exceptional work, but, is under staffed. The Fire Prevention Bureau has one inspector to carry out many duties. On the other hand, the training program is adequate although the availability of a regular training area would enhance the entire program.

CHART 6


COMMISSIONER
FIRE DEPARTMENT
FIRE CHIEF
CLERK - TYPIST I
ASSISTANT FIRE CHIEF
Fire Prevention Bureau
TRAINING OFFICER
CREW A
2 CAPTAINS
3 LIEUTENANTS
8 EQUIPMENT OPERATORS
10 FIREMEN
CREW B
2 CAPTAINS
3 LIEUTENANTS
8 EQUIPMENT OPERATORS
10 FIREMEN
CREW C
2 CAPTAINS
3 LIEUTENANTS
8 EQUIPMENT OPERATORS
10 FIREMEN

Minimum requirements are established for paid fire fighters. These requirements include civil service examination, high school graduate or equivalency, six months residency, age of eighteen, and height and weight standards.

Revenue for the operation of the department is derived from the city budget. The budget is developed by the Chief of the fire department and the Commissioner of Fire with final approval resting with the Mayor and City Council. Operating budgets for the past five years are as follows:

	FY-70	FY-71	FY-72	FY-73	FY-74
Salaries	$405,455	$451,852	$478,929	$541,172	$593,830
Operating Expenses	87,731	102,310	120,615	122,502	134,207
Total	$493,186	$554,162	$599,544	$663,674	$728,037

Rockville

The Rockville Volunteer Fire Department is one of sixteen independent county fire organizations. The department provides the fire prevention, protection, and emergency first-aid responsibilities for a pre-determined geographical area of which Rockville is a part. Administrative and operational requirements are under the direction of a seven man Board of Directors and a Fire Chief.

An annual budget, along with long range requirements, is prepared by the Board of Directors, approved by the County Fire Board, and submitted to the county governing body for final approval. Revenues are realized through a fire tax, which amounted to 13.5 cents on each $100 of assessable property in FY-74, that was levyed by the county against all property

owners in the fire district. Costs of providing fire protection over the last five years are as follows:

	FY-70	FY-71	FY-72	FY-73	FY-74
Salaries	$270,077	$424,820	$483,502	$502,797	$642,250
Operating Expenses	184,197	262,920	272,475	312,482	357,360
Capital Outlay	23,073	64,160	90,524	135,303	66,320
Total	$477,347	$751,900	$846,501	$950,582	$1,065,930

The total force consists of 170 members. There are no distinctions made between paid and volunteer operational responsibilities. The fire department operates under a chain of command concept without regard to status (paid or volunteer). However, physical and educational requirements exist for paid and volunteer fire fighters. Physical standards for paid fire fighters are higher due to retirement and disability benefits. Education and training requirements vary according to rank. Promotional requirements for paid personnel are naturally much higher for appropriate ranks. Training requirements for both paid and volunteer fire fighters are established by the Montgomery County Fire Board.

An official for Rockville Volunteer Fire Department describes the relationships of municipal fire departments to county and state officials as outstanding with little conflict and duplication of effort. Rescue and ambulance services are the greatest problem areas due to frequency of emergency calls. Three ambulances with six men aboard and the heavy duty squad truck (3 to 5 men) are constantly answering calls. The greatest demands are for programs in fire prevention and public relations. The department is

continually trying to reduce loss of life and property.

Westminster

The Westminster Fire Department consists of an Executive Committee composed of a President, two Vice-Presidents, a Secretary-Treasurer, and the Chief, and the general membership. The Chief is supported by eight line officers under whom the fire fighters are assigned. Of the 80 members of the fire department, the four drivers are paid while the remaining 76 fire fighters are volunteers.

The budget is made up each year by the Executive Committee of the fire company. Because the fire department employs only four full-time drivers and the funds from the City of Westminster are sufficient to handle the wages of these employees, only a small amount is received from the Carroll County Commissioners for operations.

All members of the volunteer fire company must be 19 years of age or older and must, after being voted into the company, pass the University of Maryland basic fire course within one year. The company has monthly training drills for all members plus extra drills and training classes as called for by the fire line officers under the direction of the Chief of the company.

In terms of interdepartmental municipal cooperation, even though the department is not under the control of the municipal government, some financial help is received from the City of Westminster which does cover the four paid drivers who are on duty 24 hours a day, seven days a week, along with relief volunteer drivers on call at night. Nevertheless, the

biggest problem now facing volunteer fire services is the lack of operating funds. Volunteer fire fighter service is free, but the cost of equipment and its utilization is not. A fire official suggested that taxpayers of the community with volunteer fire service will not realize what type of fire service they are receiving until they are confronted with the costs of paid firemen.

Fire Function at the Municipal Level - In Brief

The type of fire service and organizational arrangement depends, to a certain extent, upon the size of a municipality, the form of government, and the scope of activities to be administered. The preceding material discribing fire activities in a few municipalities lends support to the idea that fire service is provided through a variety of organizational arrangements. A question common to all fire companies and municipal officials is what can be done to insure adequate fire service while reducing its cost.

In certain respects, the fire department, like most other municipal departments, is not independent or self sufficient. Cooperation from other departments such as water, building inspection, planning, and police all contribute to fire protection. Likewise, fire protection activities are seldom confined within jurisdictional boundaries. Because of this factor, it is important to coordinate all fire fighting services to insure adequate fire service to all areas within and outside municipal boundaries. In addition, there are different requirements for urban suburban, and rural fire protection. It is, therefore, important to have a composite picture of the various government units in order to develop an understanding of the ways in which fire protection is offered and the problems associated with this service.

PROBLEMS AND ISSUE AREAS

Training

The Fire Service Extension Department is part of the College of Engineering of the University of Maryland. The department was established at the University on October 1, 1937, through the efforts of the Maryland State Firemen's Association. At that time, the primary objective of the department was to provide appropriate non-academic in-service training for volunteer firemen throughout the State. Since that time, the department has expanded in size and scope and provides full-time instruction, acts as a clearing house for research, and furnishes fire training assistance to paid and volunteer fire fighters, as well as private or public agencies.

The department is supervised by a Director who reports to the Dean of the College of Engineering on administrative and budgetary matters. Operating and capital funds for the department are contained in the budget of the College of Engineering which is submitted, as part of the University of Maryland budget, to the General Assembly for approval.

It may be well to mention at this time that generally no charges are made for any of the services offered by the department. Out-of-state personnel are required to pay a nominal registration fee for programs in which they participate. Occasionally, short-term fire training courses are conducted on a contract basis for federal agencies and private industry. However, only token registration fees are charged for programs of a specialized nature.

In addition to the Director, the faculty includes an Assistant

Director, eight Senior Instructors for Fire Service Training, an Emergency Care Instructor, and part-time faculty numbering over 160 persons. Candidates for these positions are required to have a minimum of a Bachelor's Degree and wide practical experience. Department personnel further includes a Training Center Supervisor, four full-time secretaries, and one full-time maintenance man.

In addition to the three story Fire Service Extension building which houses the departmental offices and class rooms, the department maintains a seven acre Fire Training Academy at the College Park campus. The Academy includes a five story drill tower, drafting basins, breathing apparatus training building, structural fire training building, and a fire extinguishing training ground.

The departmental programs cover three broad areas:

1. Field Operations. Field training consists of a 60-hour course in basic firemanship, a 42-hour course in rescue, and an 81-hour course in emergency care. Fire and rescue courses are conducted in the local fire stations throughout the State at the request of the local fire official. Courses are taught by qualified part-time instructors employed by the University, who are compensated on an hourly basis for teaching time and on a mileage basis for their travel. Part-time field instructors are selected by qualifying examinations and are required to successfully complete a 40-hour instructors training course. There are 121 people throughout the State who work for the department in this manner. The emergency care courses are taught state-wide at selected hospitals by 42 part-time lay instructors and numerous physicians

under the Emergency Medical Technician Ambulance Program.

2. On Campus Training. The short course concept covers such subjects as fire department instruction, industrial fire protection management, industrial fire fighting, fire inspection, arson investigation, fire officership, fire department management, and general firemanship.

3. Training Academy Programs. These programs consist primarily of three-hour and six-hour classes in fire service evolutions. Conducted by the University of Maryland and known nationwide, these classes cover structural fire fighting, breathing apparatus, flammable liquids, hose evolutions, ladder evolutions, and standpipe and sprinkler operation. Flammable liquids and gases cannot be taught because of limited live fire training facilities. These programs are organized upon request and are taught by experienced fire service instructors from the surrounding area who are hired on a part-time basis by the University and compensated on a daily rate.

Attendance records are maintained on all class activity although pocket cards or certificates of satisfactory completion are issued only for programs of twelve hours or more. In general, a student must attain a minimum grade of 70% on the final examination and attend at least 85% of the class hours in order to be certified as satisfactorily completing any course. In the shorter programs, perfect attendance is required. In recent years, over 6,000 firemen annually have successfully completed departmental training programs.

Program planning is the responsibility of the Director with the support of the staff. The department has worked very closely through the years with the Firemen's Training Committee of the Maryland State Firemen's Association to obtain their advice and counsel on matters of program policy. Through this cooperative effort it has been the goal of the department, within limitations of time and budget, to provide the quantity and quality of training necessary for the firemen of the State of Maryland.

During the school year 1972-73, the Fire Service Extension registered 11,431 men and women for course offerings given by the department. The Fire Training Academy of the department handled 5,012 of the enrollments at the College Park campus, and supported a high percentage of the remaining registrations through the concept of the mobile teaching laboratories at points throughout the State. However, it was pointed out that instructional funds budgeted for the 160 plus part-time instructors are insufficient. It was also mentioned by a training official that the present training facilities are inadequate and out-of-date and do present a problem in meeting the demands of today's fire and rescue personnel.

Results of a long range study by the department of its needs point to the following areas as being the most critical concerns of the Fire Service Extension:

1. Anti-Pollution System. The system would provide for necessary anti-pollution control devices to protect nearby waterways from pollutants caused by flammable liquids. The lab sites that will require water recovery systems are flammable liquids fire fighting, liquified petroleum gas fire fighting, fire extinguisher fire

fighting, and structural fire fighting. (Cost $50,000)

2. Security Enclosure and Night Lighting. Facility would be protected from trespassers, theft, and vandalism. (Cost $26,000)
3. Heavy Equipment Storage. (Cost $34,000)
4. Roadway System and Earth Stabilization. This program would encompass repair and repaving of roadways and erosion protection. (Cost $40,000)
5. Fire Extinguisher and Rescue Training Courses. (Cost $26,000)
6. Additional Classroom Space. (Cost $180,000 for minimum of two)
7. Locker and Bathroom Facilities for Women. (Cost $25,000)
8. Renovation of and Remodeling of Fire Service Extension Department Headquarters.
9. Structural Fire Building. (Cost $72,000)
10. Drill Tower-High Rise Mock-Up. (Cost $80,000)

The Fire Service Extention Department, in conjunction with the College of Engineering, has prepared a Ten-Year Plan for improving the training programs. The proposals are as follows:

1. Revise the curriculum and course content presently offered at the University.
2. Improve physical facilities and instructional aids.
3. Increase the instructional and support staffs.
4. Develop the following five regional training centers in addition to the facility at College Park:
   a) Western Maryland training site.
   b) Eastern Shore training site.

c) North Eastern training site.

d) North Central training site.

e) Southern Maryland training site.

Implementation of the proposed plan, assuming all costs accurate, would cost an average of $600,000 a year more than is presently being spent.

The budget for the Fire Service Extension in FY-73 was $335,220, of which $178,622 went for salaries. In FY-74, the budget was increased by $105,106, bringing the total appropriation to $420,326.

During the 1974 Session of the General Assembly, Senate Joint Resolution No. 7 was passed. The Resolution provided for the Governor to appoint a Commission on Fire Service to determine the future role of the Fire Service Extension at the University of Maryland in the training of firemen and rescue squad members. At present, the Commission has been appointed and commenced operations.

Intergovernmental Arrangements

Sometimes, arrangements between two or more jurisdictions for the more effective use of available fire fighting resources are desirable to coordinate all equipment within certain areas and to avoid unnecessary expansion of personnel and equipment. There are two forms of cooperation:

1. Outside Service.
2. Mutual Aid.

Outside service refers to the dispatch of apparatus by a jurisdiction to communities beyond its boundaries, whether or not these latter units possess their own protection facilities. Such aid is voluntary and frequently

there is no assurance that help from an outside agency would be forthcoming, if needed.

On the other hand, "mutual aid" refers to reciprocal arrangements between nearby units of local government whereby each agrees to send fire fighting forces to the aid of the other in the event of a situation which cannot be handled alone. Yet, these types of arrangements, where they exist, are still subject to the following questions:

1. Does a jurisdiction need to enact local ordinance or resolutions in addition to the enabling legislation found in state law in order to use apparatus and men outside its boundaries?

2. Are firemen protected as to compensation, injury and pensions in case of an accident occurring outside a jurisdiction's boundaries.

3. Is the fire equipment designed to meet the requirements for this type of jurisdiction?

4. On what basis should charges be made, if any?

5. To what extent does such service discourage the organization of new fire departments outside the corporate limits?

Mutual aid systems, as a rule, lack the advantage of a single large area fire department's definite chain of command in a single organization, adequate staff services, and completely uniform operating procedures. The system does, however, provide for suitable mutual aid arrangements whereby

large or small fire departments, without the economic hardships of maintaining a full force, receive fire fighting assistance as needed.

Most mutual aid systems are based upon agreements between the chiefs of the fire departments concerned and not backed up by contracts between the departments. One of the continual deficiences of many mutual aid operations has been that when small fire departments lack sufficient companies to handle fires in large structures, they utilize the mutual aid agreement after the fire goes beyond the control of the local department. Frequently, by the time the various volunteer fire companies have been mobilized and reach the scene, the opportunity to control the fire has been lost. However, this problem has been recognized so that more mutual aid plans are including assignments based upon the needed first call response.

An advantage of many mutual aid plans is that they make available on an area basis important equipment which would not normally be provided by individual fire departments. For example, some fire departments have only occasional use for apparatus such as foam trucks, aerial ladders, and water tankers. This results in over-all economies in area protection, but does not relieve each local department from providing the basic apparatus needed for its routine operations.

Sections 37 and 38 of Article 38A of the Annotated Code of Maryland provides for intergovernmental agreements for mutual aid. The law provides for any fire department, or government subdivision, or any fire company or rescue squad, through authorized representatives, to enter into reciprocal

agreements with any adjacent fire company or county. Agreements with the District of Columbia, the States of West Virginia, Pennsylvania, Delaware or adjacent counties or fire departments within their jurisdiction are acceptable.

The provisions usually provide for establishing and carrying into effect plans to furnish mutual assistance for fire fighting and/or rescue personnel and equipment. These agreements can also be in conjunction with the District of Columbia, and such other counties, or cities.

In order to enter into an agreement, each of the parties must agree to: (1) waive all claims against all other fire companies stemming from their activities outside their jurisdictions, and (2) consider invalid any action by a third party against a fire company that is providing support but is from outside the jurisdiction.

Volunteer Service

Volunteer fire departments are providing an essential and most appreciated service to communities throughout the State. The volunteer service has been expanded and the demands that have been placed upon it affect the entire functional area. Additional personnel appear to be needed. These manpower requirements may consist of persons to keep the fire station in order or to man a full crew to operate the equipment. The resulting system of paid and volunteer personnel has in some cases led to difficult situations to resolve. Developing a sound relationship between paid and volunteer fire fighters while coordinating the activities of the two groups without having

to set up a great bureaucratic agency is the key to maximizing today's fire protection efforts.

Maintaining and improving relations between paid and volunteer fire fighters continues to be a difficult task. A major reason for this difficulty is that there are responsibilities that go beyond statutes and regulations. Matters of benefits, working conditions, wages, fair representation, and specific responsibility of paid as well as volunteer firemen are seen as problems that should be resolved to insure the continuing participation of volunteers in overall fire service. Nevertheless, where once volunteer fire companies comprised almost the total fire fighting force in the State, the movement has been toward more paid firemen. With continued growth in population, and development of residential, commercial and industrial structures, the need for well trained and adequate personnel, and around the clock fire protection are mandatory.

Funding Of Fire Services

Generally speaking, funds for fire protection are provided in one of two ways. First, a governmental unit will finance, from its general fund, fire service activities that are required to provide adequate fire protection to its citizens. Several municipal governments, in addition to the urban counties and Baltimore City, have paid full-time fire fighters. Second, many fire companies acquire necessary funds to operate through a combination of their own fund raising efforts and grants from local governments.

It has only been in recent years that counties have gradually moved from all volunteer to a combination of paid-volunteer fire companies. This

move is a result of the rapid increase in population and structural development that has converted many rural areas to highly urban and suburban areas. The paid firemen concept brought with it the problems of financing fire service and periodic conflicts between paid and volunteer fire fighters. Funds to provide for paid fire fighters is only one aspect of the monetary problem facing fire departments and fire companies. The question of adequate funds to support the operating cost of some volunteer as well as paid-volunteer fire companies continues to be a problem.

The most recent financial data available that provides insight into the tax funds appropriated at all levels of government for fire service is for FY-70. Funds from tax sources for fire service during that year amounted to $53,683,000. The $53,683,000 did not include money raised by fire companies through such activities as carnivals, dinners, suppers, and other events. The City of Baltimore is included in these figures and accounted for approximately 42% of the total funds spent for fire protection.

A point brought forth by a number of fire officials is that Baltimore City, with a population of around 900,000 in a state of over four million population, is spending more than 40% of the total money generated through taxes for fire service. It was also suggested that if volunteer fire companies were not operating throughout the State, the cost to local governments would have been in excess of $150,000,000.

Legislation was introduced during the 1974 Session of the General Assembly, but failed to be enacted, to provide financial aid to local fire departments. This assistance would be for the purchase of fire fighting equipment. Grant applications would be submitted to and approved by the State Fire

Marshal. A local fire department would be eligible for a grant if:

1. Members of the department participate in a Firemen's Training Program.
2. The department is an agency of a state, political subdivision or is incorporated.
3. All fire fighter equipment purchased with funds conform with standards adopted by the National Bureau of Standards.
4. Funds available for these grants were included in the annual budget of the Department of Public Safety and Correctional Services.

Rescue Service

One area of concern that continues to take on greater importance is the increased activities of the rescue service and its relationship to the fire department. The growth of and problems associated with fire and rescue service has become an issue in the minds of many fire officials.

A study committee of the Maryland State Fireman's Association reported on the future ramifications of this problem. According to the report, the situation of having separate functions and responsibilities for fire and rescue service has resulted in a division between the community and all emergency services. The report goes on to say that if the situation is allowed to continue it would create additional problems for fire and rescue services.

The study committee recommended that in order to avoid this division between the services and the possibility of damaging public confidence in

the fire and rescue services completely, that the following be accomplished:

1. Bring all rescue related services together as a unified body.
2. Improve the strength of the fire and rescue services.
3. Provide a unified voice to speak for both the fire and rescue service.

SUMMARY

Present activities carried out at the state and local governmental levels in the area of fire appear to be separate and distinct. Activities of state fire officials are directed toward inspection and investigation, setting of standards and regulations, and consultation and coordination of fire related activities and agencies. Local level fire activities take on the appearance of line operations that emphasize fire suppression although fire prevention duties in the form of inspections and investigations are also performed. Through the cooperative efforts of state and local governments and incorporated fire companies, all areas of the State are said to have fire protection. The emergency service coverage is provided by no more than one fire agency which avoids the problems of overlapping responsibility in a single jurisdiction.

Fire services at both the county and municipal levels are provided in a variety of ways. Normal patterns of organization and methods of financing a particular activity are gradually being utilized to meet the needs of a growing and more urbanized society. Nevertheless, fire protection as it now

exists at the local level ranges from an all volunteer fire company whose operation is financed almost totally by its own revenue to a fire department which is part of the government and financed totally by revenue from that government.

Urbanization has created a different set of fire hazards and, thus, different fire services are required. Although the distances between companies are less, congested areas add to the response time. Increased densities of land use generally indicate large buildings and more people which creates complex problems of fire safety. Since more people are concentrated, the threat of fire and its toxic smoke increases the possibility of a tragic effect on people. High-rise buildings add another dimension to the task of fire fighters.

In considering the fire function, a number of questions have been suggested and do offer a starting point for any discussion. The questions are as follows:

1. Is fire protection a governmental responsibility?
   a) To what extent? For example, what activities should be of governmental concern?
2. What should the role of the State be with regard to fire?
3. What should the role of local government (county and municipal) be with regard to fire?
4. Should minimum training standards be required for all volunteer and career fire fighters?
5. What should the State's role be with regard to fire training?
   a) Should there be a central training academy?

b) Should there be regional training academies?

c) Who should administratively and financially be responsible for a fire training academy?

6. Would greater cooperation among jurisdictions save money while providing better and more effective fire protection?

a) How could greater cooperation among jurisdictions and their fire companies be realized?

7. Should the methods of financing fire activities be changed?

a) What specific changes should be made?

b) Who would be affected by these changes?

APPENDIX E

INFORMATIONAL REPORT
ON
POLICE PROTECTION

INFORMATIONAL REPORT

ON

POLICE PROTECTION

AUGUST 6, 1974

(For Discussion Only)

MARYLAND COMMISSION ON THE FUNCTIONS OF GOVERNMENT

EXECUTIVE BUILDING
140 MAIN STREET
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INTRODUCTION

Crime is one of America's most serious domestic problems. In 1967 the President's Crime Commission reported, "America's system of criminal justice is overcrowded and overworked, undermanned, underfinanced, and very often misunderstood. It needs more information and more knowledge. It needs more technical resources. It needs more coordination among its many parts. It needs more public support. It needs the help of community programs and institutions in dealing with offenders and potential offenders. It needs, above all, the willingness to reexamine the old ways of doing things, to reform itself, to experiment, to run risks, to dare. It needs vision!"

The purpose of this report is to provide "more information" and "more knowledge" concerning the police function in the State of Maryland. The main objective is to provide an overview of the different levels of government involved in providing police protection. Accordingly, the study is a descriptive analysis of the law enforcement operations as carried out by state, county, and municipal police agencies.

The first phase of the study deals with the police function at the state level as depicted by the Department of Public Safety and Correctional Services. The Maryland State Police and the Maryland Training Commission are briefly discussed. This part is followed by the section dealing with the police function at the county level which examines the

operations of the sheriff's office and police departments at this level. Municipal police departments are also described in order to provide the total view of the various types of police service available to the citizens of the State. A brief description of the Baltimore City Police Department follows the municipal section.

The major section preceeding the Summary is an attempt to explore some items that are of concern to many persons associated with police protection, such as the concept of consolidation, the training of police officials, arrangement of contractual agreements, and the financing of the police function.

POLICE FUNCTION AT THE STATE LEVEL

Coordination of law enforcement activities at the state level is the responsibility of the Department of Public Safety and Correctional Services (DPSCS). As stated in a report of the Governor's Commission on Law Enforcement and the Administration of Justice: "With the exception of the Department of Public Safety, the system of interaction among local, state and federal law enforcement agencies in Maryland is largely informal, and primarily dependent on interagency cooperation."

The Department of Public Safety and Correctional Services was established by Chapter 401, Laws of Maryland 1970. The Department was created to carry out the laws and policies in public safety, law enforcement, crime prevention, criminal correction, treatment of defective delinquents and parole and probation. Organizationally, the Department is divided into two independent but related functions--public safety and

correctional services. Although related, the activities and clients of the two functions dictate that they should, nevertheless, be administered separately. To insure that the operations of public safety and correctional services remain separated and complement rather than hinder each other, provisions have been made to provide for a deputy secretary, appointed by the Secretary with the approval of the Governor, to administer each function (see Chart 1, page 4).

For the purpose of this report, public safety, within the Department of Public Safety and Correctional Services means the Maryland State Police and the Police Training Commission. A separate report will deal with the State Fire Prevention Commission and the State Fire Marshall.

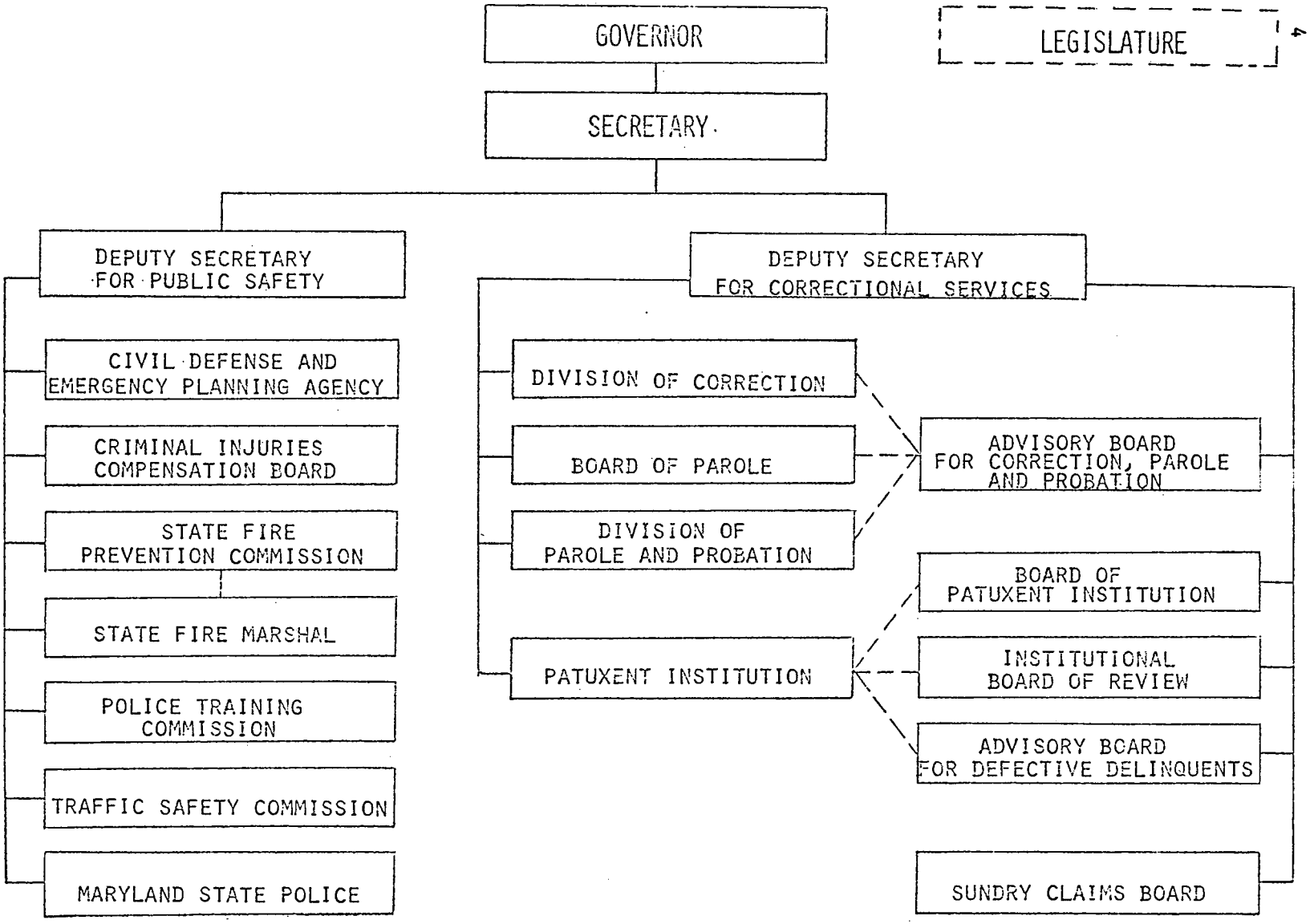
Maryland State Police

Power and authority of the Maryland State Police are found in Article 88B of the Annotated Code of Maryland. The Maryland State Police are directed by a Superintendent who is appointed by the Governor with the advice and consent of the Senate and serves at his pleasure. In Chapter 401, Laws of Maryland, 1971, provision is made for the appointment of a deputy superintendent who is designated by the Superintendent, with the approval of the Secretary of Public Safety and Correctional Services.

The Maryland State Police are charged with the enforcement of the motor vehicle and criminal laws of the State, and more specifically, with safeguarding the lives and property of all persons within the State, as well as assisting in the securing to all persons the equal protection of the

CHART 1

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES



SOURCE: Department of Public Safety and Correctional Services

CHART 1

law. In addition, the State Police also have the responsibility to preserve the public peace, to detect and prevent crime, to enforce the laws and ordinances of the State and its local subdivisions, and to apprehend and arrest criminals and those in violation of such laws and ordinances.

Assigned duties cover preserving order in public places, maintaining the safe and orderly flow of traffic on public streets and highways, and coperating with other law enforcement agencies in carrying out their duties.

The Maryland State Police have statewide jurisdiction except in incorporated municipalities, including Baltimore City. As stated in Section 4 of Article 88B of the Annotated Code of Maryland, police employees do not function within the limits of any incorporated municipality which maintains a police force except: (1) when in pursuit of an offender or suspected offender, (2) when in search of an offender wanted for a crime committed outside the limits of the municipality or when interviewing or seeking to interview a witness for such a crime, (3) upon request by the chief executive officer or the Chief of Police of the municipality, (4) when ordered by the Governor to act within the municipality, (5) when enforcing the motor vehicles laws of the State, (6) in any building or place when ordered by the President of the Senate and the Speaker of the House of Delegates, or either of them, or (7) to protect the safety of an elected state official. In addition, authority is provided to the State Police under Article 27, Section 298, of the Annotated Code of Maryland to initiate investigations and enforce the

laws dealing with drugs and narcotics throughout the State without any limitation as to activities within municipal corporations or other subdivisions.

During August, 1971, general internal reorganization of the Maryland State Police was initiated. The purpose of the reorganization was three-fold: first, to realign certain responsibilities in the Services Bureau; second, to expand and restructure the field installations of the Operations Bureau from inter-county territorial segments into total county operations; and third, to create additional supervisory ranks and provide optimum "on the road" and "in house" supervision on a twenty-four hour basis.

Generally speaking, the organizational arrangement encompasses broad program areas of the various divisions and units of the State Police that are designed to complement each other. These various divisions make up three operating bureaus (see Chart 2, page 7) and are briefly described below.

General Administration - Administrative Bureau

General administration is carried out by the Superintendent and his immediate staff. The immediate staff consists of the Chief of the Operations Bureau; the Chief of the Administrative Bureau; the Chief of the Service Bureau; the Chief of the Planning, Research and Inspection Division; and the Chief of the Intelligence Division.

The Administrative Bureau is comprised of six subdivisions. The Finance Division, in addition to handling its regular fiscal responsi-

CHART 2

MARYLAND STATE POLICE
ORGANIZATIONAL CHART

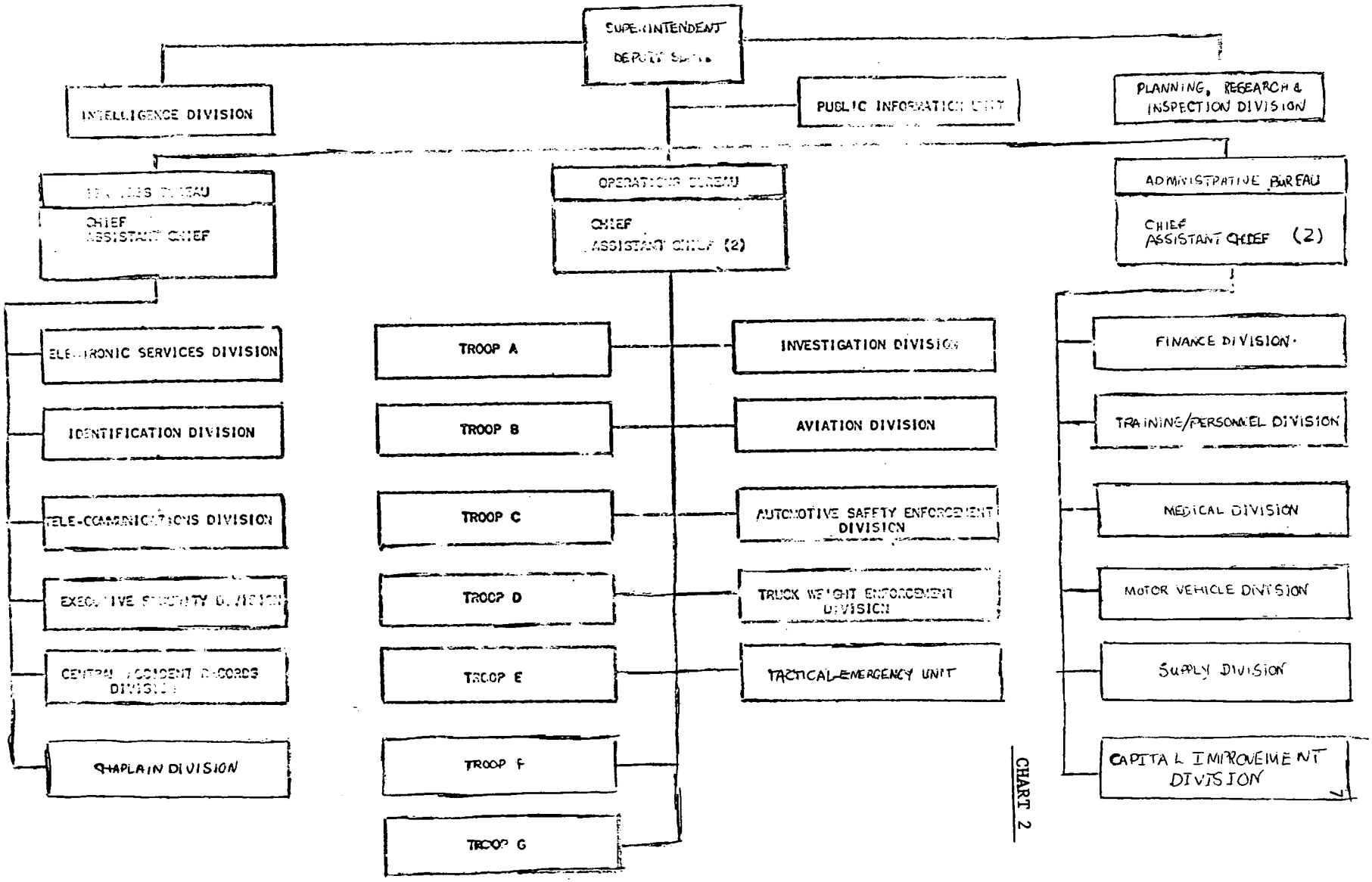


CHART 2

bilities of payroll and records, is responsible for the computations for programs such as State Aid for Police Protection which is prescribed under Article 15A, Sections 35-39, of the Annotated Code of Maryland. This program is for the purpose of providing funds to local jurisdictions to be used by the law enforcement agencies.

Responsibility for all training activities of the Maryland State Police are in the hands of the Training/Personnel Division. All State Troopers undergo extensive training which lasts approximately six months. Training is comprehensive and designed to cover all phases of police training, such as traffic control, criminal law enforcement, leadership development, general police duties, a rigorous physical education, and firearms program.

Forty hour in-service training classes are conducted annually for troopers, uniformed personnel, and supervisory staff with advanced courses in criminal investigation techniques. In addition, State Police instructors conduct entrance level courses for the Maryland Police Training Commission in which all law enforcement agencies throughout the State participate.

Four remaining Divisions within the Administrative Bureau include the Medical Division, Motor Vehicle Division, Supply Division, and Capital Improvement Division.

Operations Bureau

The current field force is divided into seven troops, under which eighteen barracks, three posts, and five detachments are assigned throughout

the State. Chart 3, page 10, is an overview of the State Trooper alignment and personnel assignment. Police personnel are distributed on the basis of response time to any motor vehicle incident or criminal activity. Response time to any incident is held to a minimum in order to provide the best possible service to citizens of the State. An example of the make-up of a barracks and distribution of personnel is as follows:

> A total of 75 uniformed personnel make up the Easton Barracks (see Chart 3, page 10). The Talbot Barracks has an authorization of 23 men while the Cambridge Detachment is assigned 11. The Chestertown Detachment is comprised of 7 men while the Denton Detachment and Centreville Post have 11 and 18 men respectively. Five counties (Caroline, Dorchester, Talbot, Queen Anne's and Kent) are covered by these officers who are attached to the Easton Barracks. Whereas some other State Police Barracks may experience a decrease in their workload, the Easton Barracks is increasing in all factors, due in part to the fact that county police forces are nonexistent and the sheriff's offices do not have adequate staffs to handle the law enforcement activities.

Because of the lack of local police departments, four towns in the Easton Barrack area have expressed a desire to have a resident trooper. These jurisdictions are awaiting a study presently being made which will determine the approximate cost factor for having state troopers assigned to their towns. The towns considering such action are Hurlock in Dorchester County, Oxford in Talbot County, and Ridgley and Greensboro in Caroline County. It is expected that if this program is provided for

CHART 3

STATE POLICE TROOPER ALIGNMENT

AND PERSONNEL ASSIGNMENT

CHART 3

	PERSONNEL
TROOP "A"	4
Waterloo Barrack	49
Westminster Barrack	41
Rockville Barrack	41
Total	135
TROOP "B"	5
Frederick Barrack	53
Hagerstown Barrack	42
Cumberland Barrack	50
Oakland	14
Total	
TROOP "C"	5
Bel Air Barrack	70
North East Barrack	49
Total	124
TROOP "D"	5
Easton - total 75- Barrack	28
Cambridge Detachment	11
Centreville Post	18
Chestertown Detachment	7
Denton Detachment	11
Salisbury Barrack - total 66	14
Princess Anne Detachment	10
Snow Hill Detachment	13
TROOP "E"	5
Annapolis Barrack -total 87	35
Leonardtown Post	22
Prince Frederick Post	30
Glen Burnie	48
TROOP "F"	6
Waldorf Barrack	39
Forrestville Barrack	66
Greenbelt Barrack	49
TROOP "G"	12
Valley Barrack	54
Randallstown Barrack	48
J. F. K. Highway Barrack	43
Total	1,013

these towns, the possibility exists that requests from other small towns may be forthcoming.

The field operations carried out by the Troop and Barrack personnel are as follows:

Traffic Control - In the more urban areas this is the primary function and involves bringing proper emphasis to the task of traffic law enforcement in accident prevention and education. This means ensuring the safe, orderly, and rapid flow of motor vehicle traffic while apprehending traffic law violators.

Crime Suppression - In the rural counties, State Police spend considerable time carrying out the following duties: preventing crime, investigation of criminal acts, apprehending criminals, and maintaining the peace. Other public safety functions provided for are prevention of traffic and road hazards; offering public information programs on traffic safety; assisting federal, state, county and city agencies; providing escorts for security or safety purposes; operating field communications network both intra and interstate; maintaining riot control capacity (tactical forces); operating mobile crime laboratories; and carrying out motor vehicle inspections.

Also located within the Operations Bureau is the Investigation Division. The Investigation Division, consisting of a Headquarters, Field Detective Section, Warrant-Fugitive Section, and a Polygraph Section, is assigned major investigations and coordinates criminal investigation at the barracks level. However, investigations are conducted at the request of all agencies and departments of state government. Other support divisions within the Operations Bureau include the Aviation Division,

Automotive Safety Enforcement Division, Truck Weight Enforcement Division, and the Tactical-Emergency Unit.

Services Bureau

Six divisions comprise the Services Bureau. Like the other two bureaus, Operations and Administration, the Services Bureau is designed to carry out specific activities while complementing all other sections of the State Police.

The Identification Division is organized into four main sections including the State Central Crime Records Bureau; the Laboratory Services Section; Firearms and License Section; and the License Services Section.

Central Crime Records Bureau - This Bureau is a central depository for criminal data for the State of Maryland. Responsibility of this Bureau is to analyze and disseminate information relative to the incidents of crime within the State. As part of the state and local law enforcement assistance, information is made available to all law enforcement agencies in the form of permanent criminal records and files. The Bureau is structured to include a fingerprint unit, master criminal record-file unit, stolen car unit, wanted-missing person unit and a statistical unit. Communication and information retrieval systems are connected to the nationwide computer of the National Crime Information Center (NCIC) located at the FBI headquarters in Washington.

Laboratory Services Section - This Section maintains a crime laboratory which processes physical evidence for the entire department and assists field operations in the collection of crime scene evidence.

Firearms and Licensing Section - As a result of legislative enactments, this Section administers to those matters pertaining to the ownership, possession, and transportation of hand guns. The recently created Handgun Permit Unit is a part of this section. Files are also kept on machine guns along with reports on stolen and recovered firearms.

License Services Section - Basically, the responsibility of this Section is for the licensing and regulatory supervision of all private detective and security guard agencies in the State. Appropriate disposition of stolen and confiscated property coming into the possession of the agency is also an activity of the License and Services Section.

Tele-Communications Division has a threefold responsibility. This Division deals with radio, telephone and tele-type activities for all divisions. The Executive Security Division consists of a captain and twenty police officers who provide security and other service to the Governor and members of the executive branch. Central Accident Records Division, on the other hand, is charged with the responsibility to analyze and prepare statistical tables and charts based on reports of traffic accidents. Two remaining divisions within the Service Bureau are the Electronic Services Division and the Chaplain Division.

Internal operations and coordination of the bureaus and divisions of the State Police are important. Relationships between State Police and law enforcement agencies of other levels of government are also important. With investigative work as well as other police activities being accomplished at other levels, officials at the state level are

aware of the need for a clarification of the role and activities of the State Police. An analysis of the various services, and an assignment of basic responsibilities between the State Police and local agencies is being conducted by the Department of Public Safety and Correctional Services. This analysis of State Police activities involves the assignment of six basic missions:

1) Repression of crime
2) Apprehensive of offenders
3) Recovery of property
4) Regulation of non-criminal conduct
5) Performance of miscellaneous services
6) Prevention of Criminality

The police services are being reviewed to determine whether a particular duty is to be the total or partial responsibility of the Maryland State Police, or the responsibility of another level of government.

Under the recommended assignment of responsibility--receiving, processing, maintaining criminal records and statistics on a statewide level, as well as collection of data--providing reports and statistics are all handled through the State Police. Second-level statistical analysis and evaluation reports are assigned to local services but can be contracted with the Maryland State Police.

The analysis recognizes that some police duties are clearly the responsibility of the state police and are mandated by law as such: These include:

1) Provide security for state elected officials

2) Receive, process, and maintain criminal records and statistics statewide.
3) Maintain intelligence operations on intercounty organized crime, vice and narcotics.
4) Provide interagency coordination of non-local searches.
5) Maintain state central crime records bureau.
6) Criminal warrants obtained statewide.
7) Enforce state's traffic laws and apprehension of violators.
8) Conduct audits and inspections at the direction of the Governor.

Many service activities are not definitely prescribed as basic police duties. For example, the operation of detention facilities, search and rescue operations, licensing, supervising elections, and staffing courts with administrative and security personnel. For most of these functions, assistance is provided by Maryland State Police on request or can be on a contract basis. Emergencies, civil defense, plane crashes, and natural disasters usually receive logistical support by a tactical-emergency unit of the State Police.

Both state and local enforcement agencies have general overall responsibility for such matters as preserving the peace during civil disputes and gathering statistics and intelligence information as needed for control of their public safety operations. Intelligence gathering activities may emphasize organized crime, vice, and narcotics while other duties involve routine patrol by vehicles, K-9 teams, business establishments and

residence checks, and issuing warrants. Investigations of deaths, juvenile delinquency, alarms, and search and surveillance are also part of the apprehension of the offenders mission.

Enforcement of state traffic laws within incorporated municipalities, densely populated unincorporated areas, and on county maintained highways are currently local responsibilities. This activity entails:

1) Transporting violators to detention facilities.
2) Issuing written traffic repair warnings.
3) Investigating traffic accidents.
4) Preventing traffic collisions and fatalities.
5) Enforcing abandoned vehicle laws.

The areas in which the State Police have a definite role but are presently reconsidering that role are as follows:

1) Enforcing state's auto inspection laws relating to authorized inspection stations.
2) Testing and licensing mechanics.
3) Enforcing state laws relating to trucks.
4) Enforcing aviation laws.
5) Concurrent jurisdiction with other agencies, i.e., state game laws--State Game Warden, and boating laws--Marine Police.
6) Enforcing motor fuel fraud laws.
7) Registering firearms statewide by owner, serial number, make and type of firearm.
8) Training and providing technical assistance to all police agencies

on request. Local jurisdictions usually handle their own training but may request assistance when courses in criminal investigation procedures, use of the breathalyzer, and other specialized areas of instruction are offered.

Many responsibilities may fall within a number of jurisdictional spheres. Analysis of these responsibilities, culminating with a resolution of any jurisdictional problem, would aid in facilitating agreements between state and local law enforcement agencies and avoid overlapping and duplication of activities. In addition, information as to specific police activities that will be performed at the state level could be used as a basis for defining and structuring agreements under which the State Police could provide services to local agencies according to needs and desires.

MARYLAND POLICE TRAINING COMMISSION

The Maryland Police Training Commission was established in 1966 in accordance with Chapter 286 of the Laws of Maryland, 1966, which has been incorporated as Section 70A of Article 41 of the Annotated Code of Maryland. Authorization is given to the Commission to develop certain guidelines for all training schools and academies as well as prescribe minimum qualifications for all instructors.

The Training Commission consists of the President of the Maryland Chief Association, the President of the Maryland Law Enforcement Officers,

Inc., the Attorney General of the State of Maryland, the Superintendent of the Maryland State Police, the Commissioner of the Baltimore City Police Department, the President of the University of Maryland, the agent in charge of the Baltimore office of the F.B.I., and the Deputy Secretary of Public Safety. In addition, three police officials are appointed by the Secretary of Public Safety and Correctional Services, with the approval of the Governor, and the advice and consent of the Senate to represent the State geographically. The terms of the three police officials are for three years with the appointments made on a staggered basis.

The Commission is empowered to determine and approve standards for recruit and in-service schools at which police training courses are required. State, regional, county, and municipal police training are all included under the Commission's directives. Power to inspect, review and revoke any approval or certificate issued to such schools is also given to the Commission. Curriculum, minimum courses of study, attendance requirements, elegibility to attend, as well as equipment and facilities and standards of operations are prescribed by the Commission. Minimum qualifications and certifications for instructors and administrators are also part of the Commission's charge.

Cooperation and coordination with other related agencies are extremely important for the Commission to accomplish its purposes and objectives of uniformity and high quality training. This means continuous study of police recruit and in-service training methods and procedures. Assistance is received from recognized federal, state or

municipal law enforcement agencies, educational institutions, in addition to other departments and agencies of the State concerned with police training.

With the enactment of legislation creating the Police Training Commission, supervisory, administrative, and management personnel were the first officials to be provided training. Lieutenants, first commissioned range and security officers, followed by investigators of crime, and college and university police were placed under the authority of the Commission when minimum standards of selection and qualification were written into law in 1971. Sheriffs are still exempt from the training requirements. However, legislation was passed during the 1974 Session of the General Assembly that requires deputy sheriffs to receive training.

A long range goal of the Commission encompasses a feasibility study on the merits of centralizing the location for a police and criminal justice training center. At this time, 85% of the trainees are enrolled in the nine police academies throughout the State consisting of Anne Arundel County Police Department, the Baltimore City Police Department, the Baltimore County Police Department, the Frederick City Police Department, the Natural Resources Police Department, the Maryland State Police, the Montgomery County Police Department, the Prince George's County Police Department, and the Sparrow's Point Police Department. Regardless of which academy an individual attends, he is required to complete 245 hours of accredited training before receiving a permanent appointment.

Nevertheless, decentralization of police training has problems associated with it. It is certainly reasonable to ask if it is necessary for

nine separate units to maintain training facilities. Often times, experts in specific areas of training may be lost because of the many academies and limited number of instructors. For example, Baltimore City instructors are probably more knowledgeable about homocides while the Maryland State Police instructors are familiar with traffic safety and control. In addition, since the Police Training Commission does not have instructors nor training facilities, the cost of training individuals from other jurisdictions is incurred by the jurisdiction that operates and maintains the academy.

Yet, centralizing training of police officers does have its problems. One item that would have to be addressed is the training of State Police. Much of this training is oriented toward traffic control with approximately five and one half months of quasi-military training which is in contrast to the types of training police officers from municipal police departments would want or need. There is also the question that is directed toward the advantages and disadvantages of utilizing institutions of higher learning which may provide training dealing with public safety. Many of the smaller departments at the county and municipal levels are working with community colleges to develop training programs in order to supplement those in existence.

Over all, however, the Police Training Commission does have an obligation to all law enforcement officers in the State. Adequate training must be provided to natural resources police, security officers, and other special units.

Cost of operating the Police Training Commission has increased over

the years. Financial information is as follows:

	FY-72	FY-73	FY-74 *	FY-75 **
Salaries	$102,297	$124,417	$143,148	$184,521
Operating Expenses	72,954	40,119	85,120	40,043
Total	$175,251	$164,536	$228,268	$224,564
Amount of Total used for Correctional Train Training	$ 23,809	$ 43,488	$ 48,515	-
Total used for Police Training	$151,442	$121,048	$179,753	-
Federal Fund	$ 36,000	$ 23,980	$ 47,086	-

* Appropriated
** Requested

GOVERNOR'S COMMISSION ON LAW ENFORCEMENT AND THE ADMINISTRATION OF JUSTICE

The Governor's Commission on Law Enforcement and the Administration of Justice (LEAJ) is not part of the Department of Public Safety and Correctional Services. The Commission was organized in response to the Omnibus Crime Control and Safe Street Act of 1968 (PL 90-351) and the Juvenile Delinquency Prevention and Control Act of 1968 (PL 90-445). Yet, because the Commission is charged with the responsibility for preparing the comprehensive improvement plans required by the Omnibus Crime Control and Safe Street Act, its activities have an effect on law enforcement agencies at the state, county and municipal levels. Under the provisions of this Act, Maryland receives funds from the federal government which in turn are allocated in the form of grants to state agencies and units of local government for the purpose of reducing crime and improving Maryland's law enforcement and criminal justice system.

The Commission is composed of members appointed by the Governor. Members of the Commission represent all segments of the criminal justice system--police, courts, correction, and crime prevention--and include local elected officials and community leaders.

Money is used to implement policy, as well as to identify problem areas and assist in the planning process. Programs are placed within three time frames; long range programs for impact on a ten year continuum, five year action plan-target objectives, and annual programs. Five to six percent of all expenditures for criminal justice is used as a catylyst for change. Usually, programs are funded for a three year period. There are two criteria used in the auditing processs to determine whether funding should be continued for a program: (1) program evaluation, and (2) whether funded projects are compatible with the Comprehensive Plan of the Commission.

Commission police is presented through an advisory board and reviewed by the Governor through the planning process. At present eighty-seven percent of the Commission's funds are allocated to the Baltimore-Washington Corridor. Grants are processed through the A-95 review which includes procedures for project guidelines. The major emphasis of the Commission appears to be the elimination of fragmentation of criminal justice activities while providing the incentives for new programs and greater cooperation in providing police protection to the citizens of the State.

POLICE FUNCTION AT THE COUNTY LEVEL

Police protection at the county level is provided either through the sheriff's office or a full-time county police force. Five counties in Maryland (Anne Arundel, Baltimore, Howard, Montgomery, and Prince George's) have established police departments that are part of the county government and administratively responsible to the County Executive with final budgetary control held by the County Council. The remaining eighteen counties have either bolstered the sheriff's office to enable it to assume police activities or rely upon the office as it is presently constituted to provide residents of the county police protection.

Rural counties generally rely upon the sheriff's office to cooperate with the small contingent of State Police, and municipal police forces to provide the protection that is needed. Counties, such as Charles and Harford, that are caught in between the rural and urban designation and continue to experience rapid change, have attempted to improve the capabilities of their sheriffs' offices in the law enforcement field. It is in the larger, more populated counties where the movement has been toward full-time county-wide police forces that tend to develop and apply more sophisticated techniques of law enforcement. The following information is designed to give an overview of these three different approaches to police protection at the county level.

Sheriff's Office - Limited Police Activities

The sheriff's office holds a special place among law enforcement officials in the State. The office itself is one of the oldest in the common law system of jurisprudence. In accordance with Article IV, Section 44, of the Constitution, a Sheriff is elected by the residents of the counties and Baltimore City for a four year term. Powers, duties, and responsibilities of the Sheriff are set forth in Article 87, of the Annotated Code of Maryland. Since the Sheriff is an elected official, he is directly responsible to the voters of the county in the performance of his duties. At the same time, the county governing body can exercise a degree of control over the office of the Sheriff through the budget.

Although the constitution establishes a sheriff in each of the counties and Baltimore City, the size and capacity of the sheriff's office vary from jurisdiction to jurisdiction. The following counties are examples of jurisdictions that do not have county police departments nor have they found it necessary to expand the staff of the sheriff's office in order to provide additional police protection.

Calvert County - Population 20,682[1]

Calvert County is considered a rural county and privides only limited law enforcement activities. The sheriff's office, which is responsible for any police programs, consists of six men and the Sheriff.

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[1] All budget figures for the operation of the sheriff's offices used in this report exclude cost of operating the county jail.

This small staff with back-up assistance from the state police is responsible for the county's population of 20,682. As stated in statutes, the Sheriff and his staff operate the jail, serve both criminal and civil papers, and transport prisoners.

By law, the Sheriff of Calvert County is limited to six deputies. In addition, the law also requires that each deputy receive a two week training course given by the Maryland Police Training Commission. Because of the limitation upon the number of deputies, the possibility of developing cooperative programs with the towns of North Beach and Chesapeake Beach has been affected. The question of deputizing staff from local jurisdictions to combat area wide crime presents an important alternative for protection to the rural Sheriff. In Calvert County, the small staff of the Sheriff appears to present problems concerning police protection.

Generally, law enforcement programs in the county are non-existent. However, community relations for the office is an ongoing process with the Sheriff working closely with his staff to promote better understanding between the community and the sheriff's office.

Calvert County does not provide benefits for sheriff's personnel nor compensation or insurance for false arrest. The budget for FY-73 was $70,345 or an 8% increase over the FY-72 budget of $65,092. Additional budget information is as follows:

	FY-71	FY-72	FY-73	FY-74 *
Salaries	$31,405	$39,082	$44,540	$61,865
Operating Expenses	20,140	26,010	25,807	20,000
Total	$51,545	$65,092	$70,345	$81,865
State Funds included in Total	$18,041	$14,801	$16,650	$14,551
Percent of Total	35%	23%	24%	18%

* Appropriated

Cecil County - Population 53,291

The Cecil County Sheriff's office is organized in the following manner: Sheriff, deputy Sheriff, seven road deputies, one criminal investigator, five jailors, a secretary, and a cook. With this small staff, the sheriff's office is taxed by a work load that is described as extremely heavy. For example, the seven deputies serve over 350 papers per month, which has increased from 100 in January, 1971. Whereas, in 1971, 15 complaints per month were received, now, the number of complaints have reached 150 for the same time period. Criminal investigations handled through the sheriff's office number forty a month.

Performing the three public safety functions (serving the Court, operating the jail, and providing police protection) creates a work load that forces the sheriff's staff to work overtime, without compensation, and reduces the effectiveness of an agency. Steps are being taken to alleviate this situation.

The budget for FY-75 includes a position for a clerk who will handle some of the communications dispatching so that one of the trained deputies can be relieved of this task. The shortage of manpower has made it necessary for the deputy sheriff to organize a volunteer operation of special deputies. These deputies receive on the job training and are empowered with basically the same privileges as a regular officer. Individuals involved in this program are required to buy their own uniforms, weapons, and work one eight (8) hour shift per month with no compensation. Mandatory training and classroom work encompass all aspects of law enforcement from frisking to murders and include explanations of criminal

and civil codes.

Communication is an important part of the training for all personnel, even deputized sheriffs. Besides handling communication for Chesapeake City, North East, Charleston, Rising Sun, Perryville, and Elkton, the office has to be in constant contact with State Police. Interstate cooperation is maintained in matters of mutual concern with Delaware (on a day-to-day basis), Pennsylvania, and New Jersey.

The budget has increased from $135,460 in FY-73 to $158,711 in FY-74. Nevertheless, it appears that even with continued budget increases, the personnel and equipment of the sheriff's office has not kept pace with the increase in crime. Additional budget information is found below:

	FY-72	FY-73	FY-74 *	FY-75 **
Salaries	$ 66,100	$ 70,100	$ 73,700	$ 92,775
Operating Expenses	87,488	65,360	85,011	77,811
Total	$153,588	$135,460	$158,711	$170,586
State Funds included in Total	$ 25,582	$ 24,693	24,055	-
Percent of Total	17%	18%	15%	-

* Appropriated

** Requested

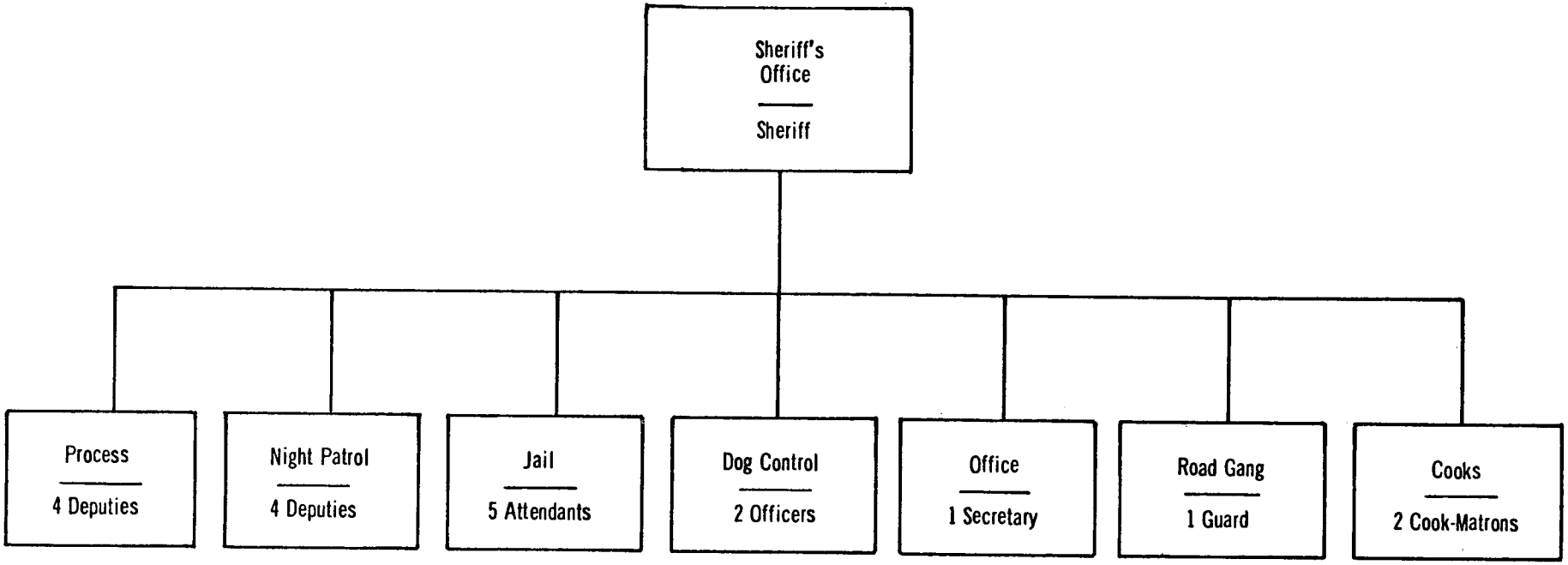
Wicomico - Population 54,236

The Wicomico County Sheriff's office is staffed by seven deputy sheriffs and a chief deputy. In order to operate and maintain the county jail, eight additional individuals are hired (see Chart 4, page 28 for a view of the organization of the sheriff's office).

The sheriff's office, besides coordinating the process of law enforcement through civil work of the court system, provides police

CHART 4

PRESENT FUNCTIONAL ORGANIZATION
SHERIFF OF WICOMICO COUNTY



IACP CHART

CHART 4

protection. The sheriff's office is open from 7:00 a.m. to 12 midnight. There are two deputy sheriffs on night patrol who work from 11:00 p.m. to 8:00 a.m. The Maryland State Police, City of Salisbury Police, and the sheriff's deputies have access to the Courthouse 24 hours a day to take care of those people who are arrested during the course of the day or night.

At present, the sheriff's office has a radio equipped patrol car for each deputy. Each deputy sheriff is assigned day-to-day duties. As far as patrol of the county is concerned, the deputy is assigned to patrol areas based upon the frequency of crime. Even though patrol activity by the sheriff's office is limited, the entire county is patroled on a scheduled basis.

Two two-man units perform night patrol. This service, in addition to using paid part-time deputies over the weekend, is said to ensure twenty-four hour coverage seven days a week. The function of night patrol is basically a watchman service which involves observing commercial establishments and schools while on patrol and making infrequent inspections of liquor stores and bars. Radio contact is kept with patrol vehicles and Maryland State Police.

Coordination of field services is done mostly by the Sheriff and deals with fulfilling primary police responsibility through performing such functions as preventive patrol, criminal investigation, vice and delinquency control, and special tactical patrol.

The State Police barracks in Wicomico County provide police service for the counties of Wicomico, Worcester, and Somerset. There are approximately 49 sworn[1] personnel attached to the "E" Barracks of Troop "D", of

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[1]The term sworn used throughout this report means an individual who has been granted police powers.

which approximately one half are assigned within Wicomico County. Since about 50% of traffic accidents and enforcement activities occur within its boundaries, assignment of these men to Wicomico County is justified. The Salisbury Police Department has a total of 47 personnel and its jurisdictional responsibility lies within the corporate limits of the City of Salisbury. A brief description of the activities of the Salisbury Police Department will be provided under the municipal section of this paper.

Incorporated areas in Wicomico County with police forces contain about one-third of the entire county's 54,236 population. However, in terms of manpower, the municipalities have more than twice as many police officials as the sheriff's office. With state, county, and municipal personnel carrying out law enforcement activities, overlapping of activities can sometimes present problems that may hinder the effectiveness of all agencies concerned. In a recent study of Wicomico County by the International Association of Police Chiefs (IACP), a way was suggested to avoid taxing the manpower of both the Maryland State Police and the sheriff's office. The IACP recommended that the State Police should be responsible for the patrol and investigation of all traffic accidents and incidents which occur on the two major highways which cross the county. This would involve compiling traffic data and criminal intelligence information. The county sheriff's office would provide preventive patrol and investigate accidents, crimes, and other matters in the remaining areas of Wicomico County. Thus, a cooperative effort would be realized.

Between FY-73 and FY-74, the budget of the sheriff's office increased from $132,437 to $171,504 or approximately 32 percent. Additional budget information is provided below:

	FY-71	FY-72	FY-73	FY-74 *
Salaries	$79,935	$89,488	$94,113	$129,004
Operating Expenses	11,520	15,920	19,000	21,000
Capital Outlay	14,915	13,275	19,324	21,500
Total	$106,370	$118,683	$132,437	$171,504
State Funds included in Total	$28,205	$22,250	$21,957	$18,254
Percent of Total	27%	19%	17%	11%

*Appropriated

Worcester County - Population 24,442

Geographically, Worcester County is the fifth largest county in the State. However, it is seventeenth (17) in population. The sheriff's office is comprised of eighteen (18) staff members. According to the Sheriff, about 50% of the operations of the office are geared to criminal work. It was also stated that staff members are trained to handle any type of assignment. Even with the present staff and assistance from the Law Enforcement Assistance Administration (LEAA) in the form of grants for a communication system, two vehicles for night patrols, and drug abuse programs, the office is said to be undermanned and short of funds.

The Worcester County Sheriff's office currently operates eight patrol vehicles within the county. Under the present system, all of the vehicles are equipped with single channel two-way radio communication systems. Messages from the sheriff's headquarters to the units must now be relayed by telephone through other police departments. An LEAA grant

to improve the communication system was approved so that the Sheriff and the sheriff's office could have direct and instant communication. With this direct control, field officers will be readily dispatched, reducing the lapse of time between initial complaint and investigation.

Evaluating programs is usually done through monthly analysis of all crimes reported. Training in criminal, traffic violations, and civil processes helps to improve effectiveness. In Worcester County the Sheriff does not feel hindered by his other functions, i.e., servant of the Court and jailer.

The following description of the administrative duties of supervisory staff briefly explains how the office functions:

Under the Worcester County Sheriff's office there is a command staff consisting of the chief deputy, under sheriff, administrative deputy Sheriff, and senior field deputy sheriff who is assigned as the warden of the county jail. Five divisional segments are provided. The field force comprises all personnel, other than staff members and employees of the Worcester County Jail. Meetings are held monthly to determine departmental efficiency.

The chief deputy is the supervisor of all field personnel of the office and all assignments, duties, and investigations are directed from his office. In addition, the chief deputy provides training classes and instructors, sets the dress code, makes inspection of departmental equipment, conducts investigations of all applicants, assigns trips, handles all major investigations, and presides over all field force meetings.

The under sheriff is third in command after the Sheriff and chief

deputy. An individual in this position is charged with the responsibility for all court related activities within the county. This officer is present at the signing of all Circuit Court Fi Fas. Administrative activities are the responsibility of the administrative deputy. This officer supervises the clerical employees, establishes and maintains records, prepares the budget, and keeps account records of all expenditures.

The senior field deputy acts under the direction of the chief deputy or under sheriff of the county. The person in this position may also act as warden of Worcester County Jail.

A deputy sheriff is empowered and can perform all duties relating to a civil officer and such duties of a criminal officer as may be assigned by the chief deputy officer. The deputy carries out and completes all assignments received from the Sheriff and the office staff.

During FY-73, the cost to finance the activities of the sheriff's office was $110,738. Additional financial information is provided below:

	FY-71	FY-72	FY-73	FY-74 *
Salaries	$ 55,869	$ 63,986	$ 71,629	$110,811
Operating Expenses	42,287	30,813	39,109	52,717
Total	$ 98,156	$ 94,799	$110,738	$163,528
State Funds included in Total	$ 2,506	$ 2,352	$ 2,268	$ 3,146
Percent of Total	3%	2%	2%	2%
Federal Grant included in Total	$ 13,372			

* Appropriated

Sheriff's Office - Expanded Police Activities

Population increases, continued development, and tendencies toward urbanization have been responsible for highlighting the question of police protection for residents of a number of counties. In some jurisdictions, the decision made was to increase the sheriff's staff in order to provide additional protection rather than to establish a county police force. The following material is a brief description of the organization and operation of county sheriffs' offices that are also charged with the responsibility of providing police protection in the unincorporated areas of the county.

Charles County - Population 47,678

Charles County is in a very strategic location geographically. The county is on the fringe of the Washington Metropolitan area and links it to southern Maryland. The Sheriff of Charles County has 50 personnel under his command and also has stringent requirements for staff which include minimum height of five feet nine inches and county residency within 90 days after induction. Also, individuals must have investigative background and have to take a polygraph test with a passing grade on a specially prepared entrance exam. In addition, a 7-8 week basic training course through the Maryland Training Commission is provided.

The force is complete with mobile crime lab and has a narcotics division. Other special sections of the sheriff's office include major crime control, criminal investigation, and drug problems. The mobile crime lab is used for most situations that involve difficult or unusual circum-

stances. Located in Waldorf, the State Police are always available if needed.

The sheriff's office provides police protection for the entire county, including the responsibility for the incorporated Town of Indian Head, which has no municipal police force, and assisting La Plata, which has a four man operation.

Charles County has what officials feel is one of the most thought out policy making approaches for law enforcement decision-making. A three member Board of Public Safety is utilized to develop policy. One member is appointed by the Judge of the Circuit Court. A second member is appointed by the delegation to the General Assembly. The third member of the board is appointed by the Board of County Commissioners. The Board of Public Safety helps to prepare the operating budget of the sheriff's office and may also be actively involved in personnel decisions. However, there is little discretion for the board to exercise concerning personnel because employees of the sheriff's office are covered by a merit system that was developed specifically for this office. On the whole, the Sheriff has indicated that this system is working well.

In FY-74 funds appropriated for the operation of the sheriff's office amounted to $790,561. This amount reflected an increase of 41% over FY-73 budget of $560,968. Additional financial material is provided below:

	FY-72	FY-73	FY-74 *	FY-75 **
Salaries	$394,359	$480,968	$627,571	$863,736
Operating Expenses	75,000	80,000	162,990	227,613
Total	$469,359	$560,968	$790,561	$1,091,349
State Funds included in Total	$ 73,917	$ 69,252	$ 74,801	-
Percent of Total	16%	12%	9%	-

* Appropriated

** Requested

Harford County - Population 115,378

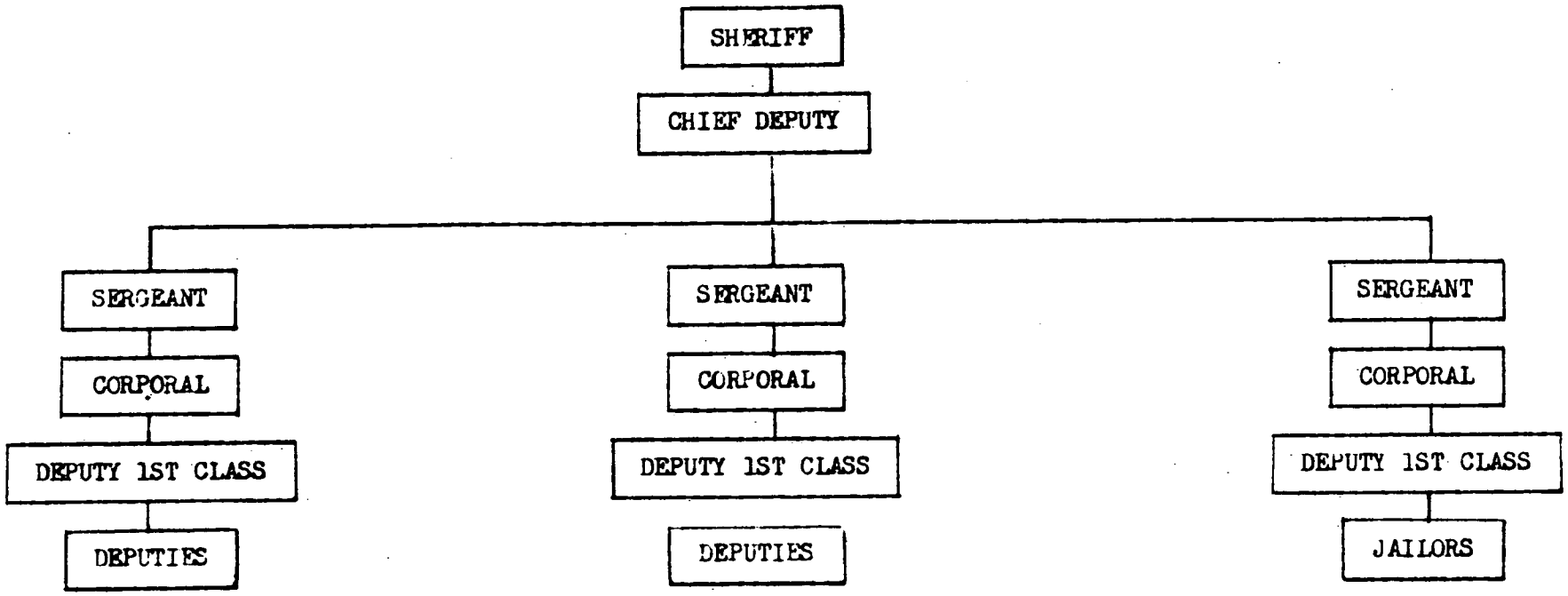
Harford County is the fifth most populated county in the State. The growth of Harford County is reflected in the expansion of the sheriff's office. Ten years ago, the force consisted of twenty men; now fifty-one persons are involved with law enforcement and serving warrants, while twenty individuals are assigned to the detention center.

Of these three major activities of the sheriff's office that were mentioned above, the primary one is providing police protection to the citizens of Harford County. The organizational structure consists of the Sheriff, his chief deputy and three staff sergeants to handle the criminal investigation division; civil division; and detention division (see Chart 5, page 37).

The criminal investigation and patrol division of the sheriff's office is responsible for conducting investigations and patroling the county. Twenty-five of the fifty-one staff members are assigned to investigative duties. Employees of the sheriff's office work regularly with other law enforcement agencies--municipal police forces and State Police. This could mean investigations, undercover work, or just a free exchange of information by way of their general police radio broadcast concerning such matters as stolen property, missing persons, wanted persons, and other related information.

All officers of the three municipal police forces in the county meet the minimum requirements established for police officers by the Maryland Police Training Commission. In addition to a position as a municipal police officer, these officers are also designated as deputy sheriffs. The State

CHART 5



HARFORD COUNTY SHERIFF'S OFFICE

ORGANIZATION CHART

SOURCE: Regional Planning Council's Comprehensive Criminal Justice Plan, 1973.

Police, located at Barrack "D" in Bel Air, bring the total strength of law enforcement personnel in Harford County to 142. However, if one were to look at the sheriff's function by excluding the municipalities and their 28,000 plus population along with fifty-five officers in the three jurisdictions, the eighty-seven man sheriff's office is responsible for about 85,000 people. The National Association of Chiefs of Police recommends that for a community between 10,000 and 100,000 population the ratio should be 1.9 police officers per 1,000 population. According to these standards, Harford County would require approximately seventy-four new officers added to the existing eighty-seven officers in order to reach the level of police service suggested by the National Association of Chiefs of Police.

In FY-73, Harford County spent $530,490 for police protection. For additional financial information see table below:

	FY-71	FY-72	FY-73	FY-74 *
Salaries	$283,279	$331,454	$404,894	$631,919
Operating Expenses	50,555	55,000	93,895	94,940
Capital Outlay	21,565	38,014	31,737	70,320
Total	$355,399	$424,468	$530,526	$797,179
State Funds included in Total	98,188	91,120	99,315	103,588
Percent of Total	28%	21%	19%	13%

*Appropriated

Washington County - Population 103,829

Washington County, with a population over the 100 thousand mark, and its major municipal center such as Hagerstown (35,862) is faced with a set of circumstances that affect police service within the county. Hagerstown's

municipal police department is more than twice the size of the county force even though the sheriff's office is responsible for 417 square miles as opposed to the city's ten square miles. The population outside of Hagerstown, in the surrounding county, is approximately 65,000.

The sheriff's office is staffed with twenty-eight sworn personnel and two civilians. Sworn personnel consist of the Sheriff, one chief office deputy, two office deputies, one captain, two lieutenants, three sergeants, two criminal investigators, 15 deputies, and one matron (see Chart 6, page 40). Two full-time civilian cooks, in addition to an attorney, a physician, and nine school crossing guards, all of whom are retained on a part-time basis, make up the rest of the staff.

The position of deputy sheriff in Washington County entails maintaining order, enforcing laws and ordinances, protecting life and property, issuing citations, making arrests, testifying in court, keeping records and reports, serving summonses, supervising prisoner work details, guarding and transporting prisoners. However, there are no patrol beat boundaries used in the county, and deputies work one-man cars. According to an International Association of Chiefs of Police (IACP) study, only a small portion of the county is routinely patrolled around Hagerstown, the county seat. Therefore, deputies must respond to other areas of the county when dispatched.

Intelligence gathering and vice control activities are initially handled by uniformed field deputies and then assigned to either one of the two criminal investigators. There is no direct command position that controls these activities. Patrol operations are usually comprised of two

ORGAZATIONAL CHART WASH. CO. SHERIFF'S DEPT.

CHART 6

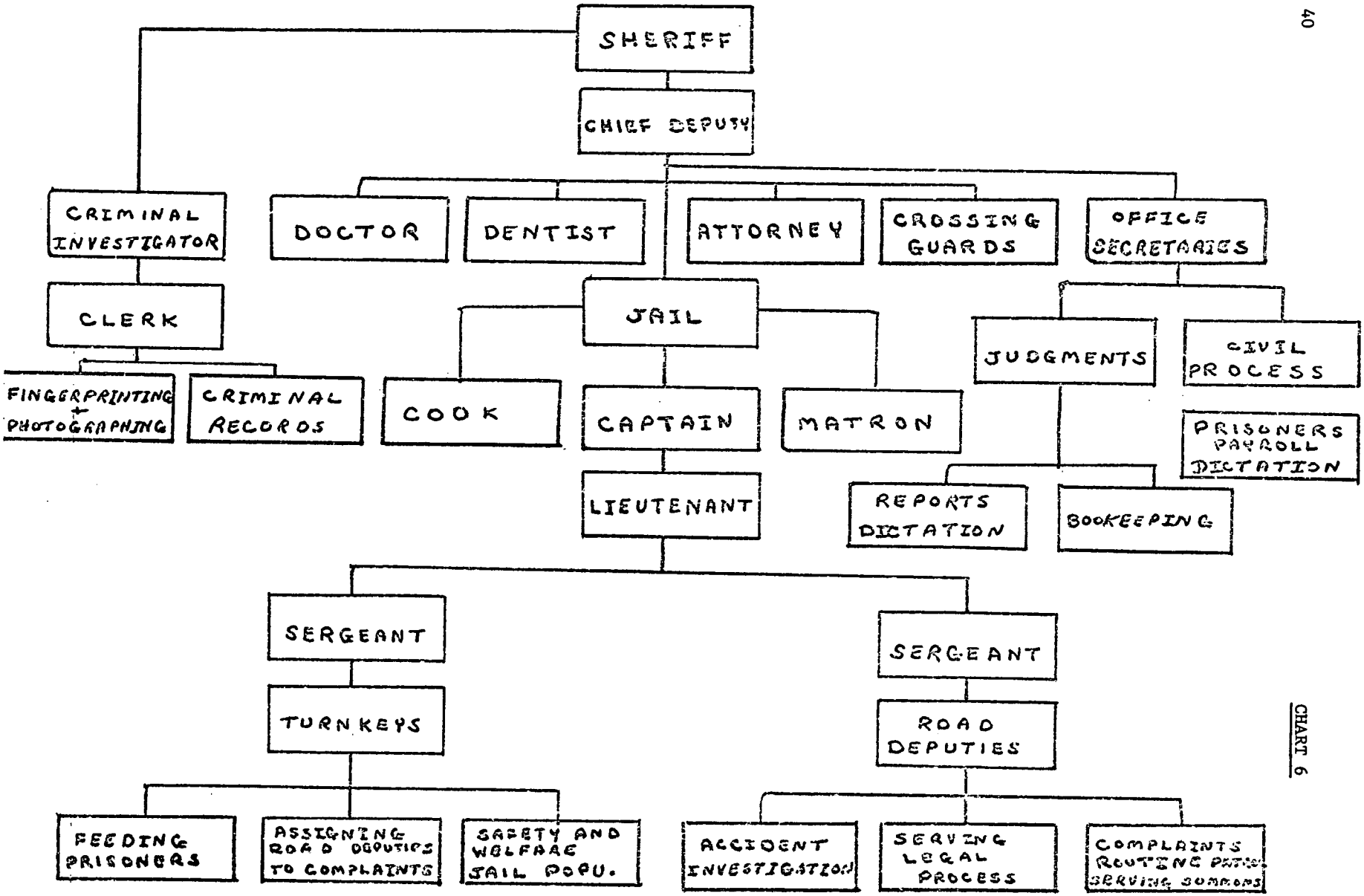


CHART 6

deputies and one supervisor on duty. Most areas are handled on a complaint basis.

The International Association of Chiefs of Police in their study of Washington County provided the following insights into the personnel administration of the office.

> Deficiencies in the educational level of staff can be seen by the fact that one member has one year of high school, another has two years of high school and seven possess only an equivilency or GED certification. However, on the plus side, three members have attended one year of college and two individuals have two years of college credit.
>
> Salaries are based entirely upon length of service without regard to position or rank. No specific percentage or differential has been established for various ranks or specialized positions in the department. Inequities in salaries exist such as deputies receiving higher salaries than sergeants while field deputies receive a lower salary than a secretary.

The Sheriff has made a determined effort to provide extended service by equipping department vehicles with divider screens and other emergency equipment and by assigning such vehicles to all deputies so that they are available for call and immediate response when off duty. Realizing the limitations of his office to provide complete county-wide services, the Sheriff has campaigned vigorously for the organization of a county-wide police force.

Between FY-72 and FY-75, the budget of the sheriff's office increased by 66%. Financial information concerning the sheriff's office is provided below:

	FY-72	FY-73	FY-74 *	FY-75 **
Salaries	$ 82,502	$141,228	$120,567	$167,787
Operating Expenses	40,997	23,087	40,549	36,747
Total	$123,499	$164,315	$161,116	$204,534
State Funds included in Total	$ 22,265	$ 22,148	$ 26,133	-
Percent of Total	18%	14%	16%	-

* Appropriated
** Requested

County Operated Police Forces

Rapid urbanization accompanied by increases in crime have made it necessary for five counties in Maryland to establish county-wide police forces. In all cases, the police forces are administratively responsible to the County Executives with final budgetary control exercised by the County Councils. In addition, these more populated counties have developed and applied more sophisticated techniques to improve law enforcement operations. A brief discussion of some of the county police forces follows below:

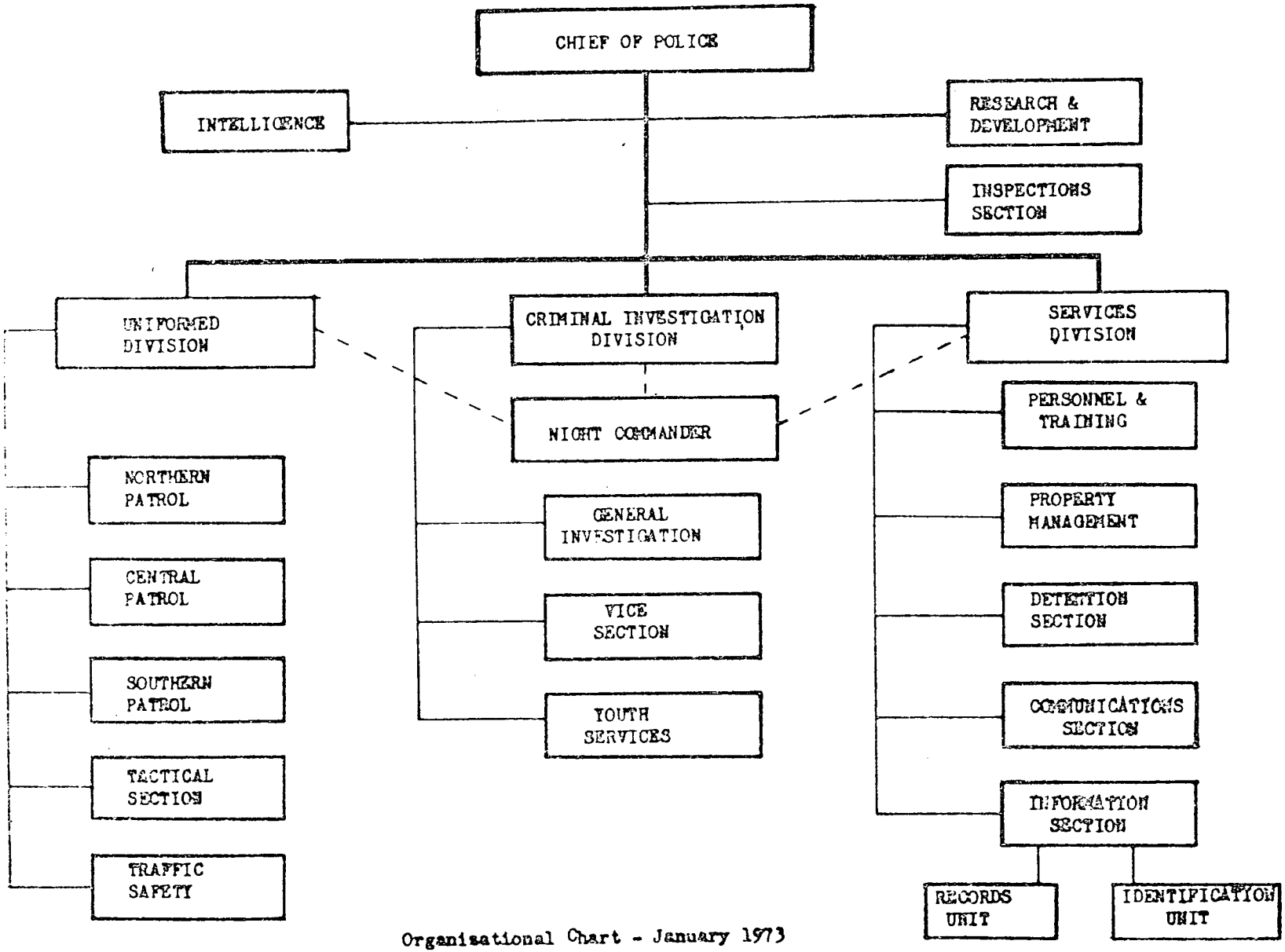
Anne Arundel County - Population 297,539

Anne Arundel County is the fourth largest of twenty-three Maryland counties in terms of land area. It is also the fourth largest police force with 386 personnel under the Chief of Police (see Chart 7, page 43 for a departmental breakdown). With a population of almost 300,000, the ratio between law enforcement officers and population is 1.3 officers per 1,000 population.

The Anne Arundel County Police Department has its headquarters in

CHART 7

ANNE ARUNDEL COUNTY POLICE DEPARTMENT



Organisational Chart - January 1973

Millersville, a central point in the county. The location is a midpoint in the three police districts--Northern, Central, and Southern. The districts are divided so that the Northern and Central divisions have eight beats each while the Southern district has five. The beat boundaries are based on a combination of workload calls for service and geographic factors and are subject to change with any changes in those factors.

The candidates for the police department undergo competitive examination after first meeting certain qualifications and undergoing an extensive background character investigation. The minimum requirements for patrolmen are: between 21 and 36 years of age, high school graduate with preference to college graduates, Maryland Motor Vehicle operator's license, minimum height of 5'8", weight in proportion to height (no less than 140 pounds), 20/70 vision or 20/20 with glasses or contact lens.

Training for police recruits involves five months of schooling at the Police Academy in Millersville. Training consists of all phases of law enforcement and discipline. Classes in criminal and motor vehicle law, constitutional law, criminal and traffic investigation, use of firearms, self-defense, physical conditioning, first aid, departmental rules, regulations and policies, police community relations, and other police related subjects are all part of the training for police recruits.

An intelligence section is responsible for the intelligence gathering activities of the department. It maintains liaison with local, state, and federal law enforcement agencies and exchanges information on various criminal and subversive groups. Investigations are also conducted into organized crime, labor disputes and incidents of civil disobedience.

The research and development section provides staff assistance to the Chief of Police. The section develops procedures of operation in addition to preparing, analyzing and issuing summaries of police statistics. Crime and traffic patterns and other research activities are also part of assignments as well as preparation of the budget.

The Uniform Division consists of Patrol Districts and is charged with the primary goal of the police department--that of crime prevention; protecting life and property; and preserving the peace and order of the county. The Tactical Section of the Uniform Division is responsible for responding to situations that present special demands on the police department such as crowd control operations, traffic enforcement, youth activities, etc.

A Traffic Safety Section is responsible for the staff functions of the traffic enforcement program. This consists of school crossing guard program, traffic safety programs, departmental accident analysis, radar and breathalyzer operation training and other related activities.

Activities of the Criminal Investigation Division are substantially "after the fact," and consist primarily of identifying and arresting perpetrators of major crimes. The General Investigation Section is responsible for the investigation of crimes against property (property crime unit) and crimes against persons (persons crime unit). Along with these two units is the Vice-Narcotics Section which is responsible for the investigation of drug and vice activities such as narcotics use and sales, gambling, prostitution and liquor law violations. In addition, a Youth Section has also been established and is responsible for the investigation

and processing of youth related incidents and problems including missing persons.

A Burglary Section, also known as the Breaking and Entering Strike Team (BEST), is a tactical type unit, organized to combat and investigate residential breaking and entering in what are considered high risk sectors. The program was established under a federal grant to meet the rising rate of residential breaking and entering by means of intensive prevention measures and investigation.

A Service Division performs those functions within the police department which provide the necessary support to the patrol and investigation division of the department. The Personnel and Training Section administers the personnel evaluation system, keeps abreast of employee benefits, and makes appropriate recommendations for improvement. Along with this, the Personnel and Training Section also develops and implements the department's training programs. These programs involve recruitment, in-service training, are advanced institutional and specialized programs.

The county police department maintains jurisdictional control over the entire county except for the City of Annapolis. No police services are contracted with subdivisions. There is, however, an agreement with the subdivision of Crofton which maintains a police department under a special tax district arrangement.

Appropriated funds to operate the county police department in FY-74 amount to $5,043,706. This is an estimated increase of 10% over FY-73 budget of $4,598,199. Provided below is additional budget information:

	FY-71	FY-72	FY-73	FY-74 *
Salaries	$3,464,530	$3,942,890	$4,598,199	$5,043,706
Operating Expenses	489,900	569,120	565,243	890,511
Capital Outlay	32,970	287,910	267,586	336,968
Total	$3,987,400	$4,799,920	$5,431,028	$6,271,185
State Funds included in Total	$1,072,325	$ 943,363	$ 936,584	$ 824,229
Percent of Total	27%	20%	17%	13%

* Appropriated

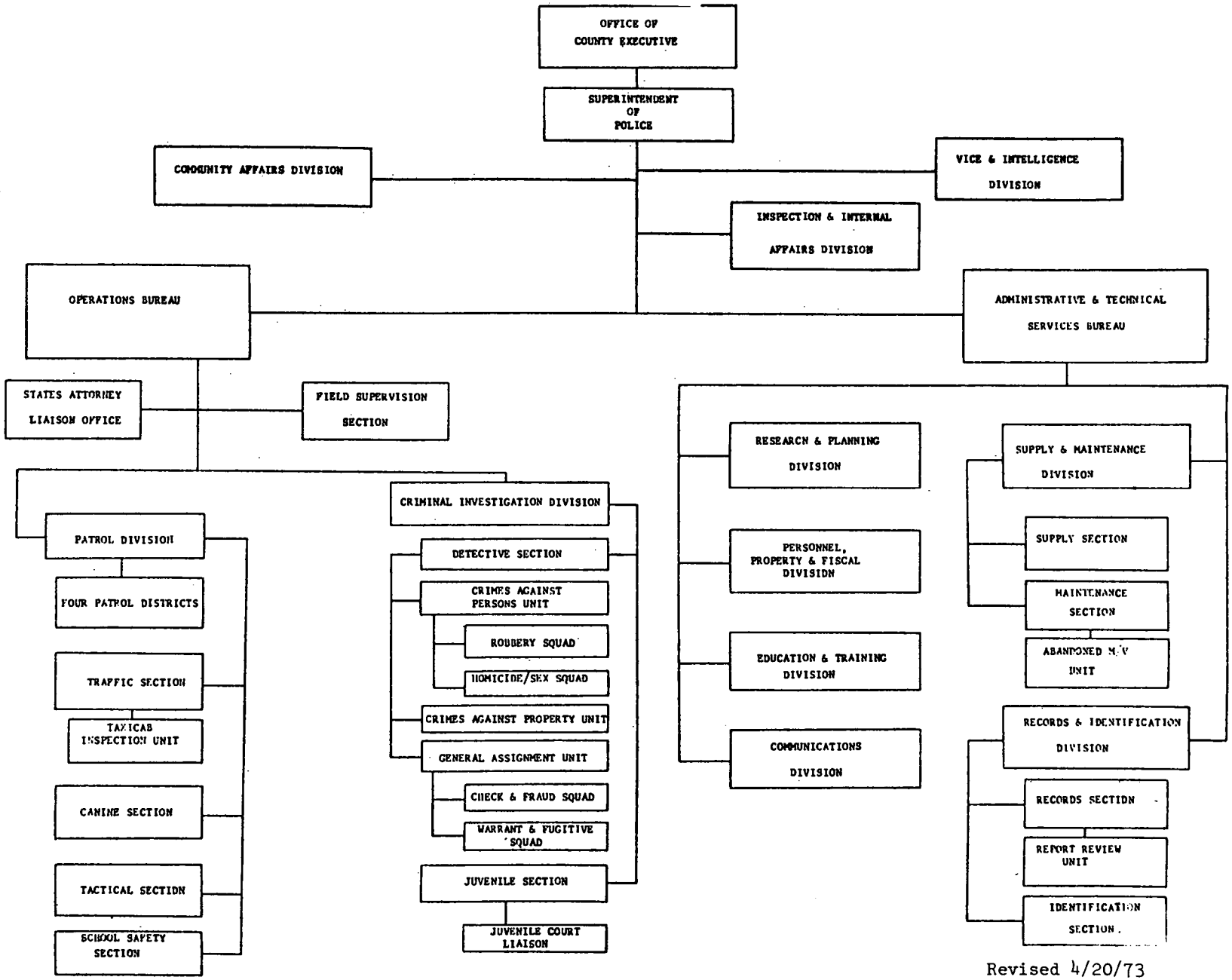
Montgomery County - Population 522,809

Montgomery County is the third most populated county in the State and has a police department with a staff of 640. Basically, the department is divided into two major groupings--the Operations Bureau, and Administrative and Technical Services Bureau (see Chart 8, page 48). From an operational standpoint, the department spends one-third of the time on preventive patrol, one-third for investigating events, and one-third on the administration of criminal cases (court related activities).

In Montgomery County, the Patrol Division is the largest division within the department and is responsible for the performance of all primary police duties. This means that the main responsibility is here for reducing the opportunity of criminal activity by open and conspicuous patrol and the arrest of offenders of the law. It also involves preliminary criminal investigations, enforcement and other public oriented functions. These include safety, traffic, canine and the tactical operations.

The Tactical Section, originated in March, 1972, is funded by a grant from the Law Enforcement Assistance Administration. Primary responsibility of this Section is combatting the robbery problem. Through the

CHART 8 MONTGOMERY COUNTY



Revised 4/20/73

use of a computerized police management system, studies are made of the patterns and frequencies of crime in a particular area and the time they occur. This is undertaken in order to help deploy personnel to specific geographical areas to effectively reduce the problem of crime. At the same time, a Criminal Investigation Division is responsible for supervising the functions of the detective and juvenile sections of the police department. Under a recent structural reorganization, this has proven beneficial as seen from the number of case closures and effective case investigation.

The Dective Section was reorganized in June of 1972, with the objective of designing specialized units of crime investigation. As with the other urban oriented police departments, these specialized areas are crimes against persons, crimes against property, and general assignment. Results indicated an increase in the closure rate from 64% after reassignment in the months from July to December, 1972, compared to a 50% closure rate for the same period of 1971.

The Records Section serves as a memory bank for the department. Recall of information such as complaints and notification of crimes or requests for police assistance are possible. Data are prepared so that assignments and subsequent action taken can be assessed. This data may also be used to assist in the preparation of public reports and administrative summaries.

As previously indicated, the county police function is fairly large and sophisticated in its approach to crime prevention. The county police department cooperates with other jurisdictions as well as the Maryland State Police in developing particular types of programs, carrying out

specific investigations, and under other circumstances. However, the county is generally able to handle any type of case on its own.

Costs to maintain and operate the county police department are as follows:

	FY-71	FY-72	FY-73	FY-74 *
Salaries	$9,045,020	$10,965,880	$11,911,590	$13,361,930
Operating Expenses	865,650	1,086,090	1,208,200	1,513,450
Capital Outlay	22,850	34,030	54,930	148,320
Total	$9,933,520	$12,086,000	$13,174,720	$15,023,700
State Funds included in Total	$1,041,772	$ 1,150,397	$ 1,189,313	$ 1,222,427
Percent of Total	10%	10%	9%	8%

* Appropriated

Prince George's County - Population 660,567

Prince George's County is the largest county in the State in terms of population and also has a large county law enforcement department. The sworn personnel of the department number 880 and operates on a budget for FY-74 of $15,463,841. The organizational arrangement of the police department is outlined in Chart 9 found on page 51.

Administratively, the Chief of Police has the responsibility for all orders, rules, and policy set for the department. In being responsible for planning, directing, coordinating, controlling, and staffing the activities, it is also necessary for the Chief to maintain the highest possible degree of cooperation and understanding between the citizens of Prince George's County, the county government, other agencies, and the department.

The Assistant Chief of Police for Operations is second in command of the department. Responsibility of the Assistant Chief lies in the area of maintaining smooth operations of the following units under his authority:

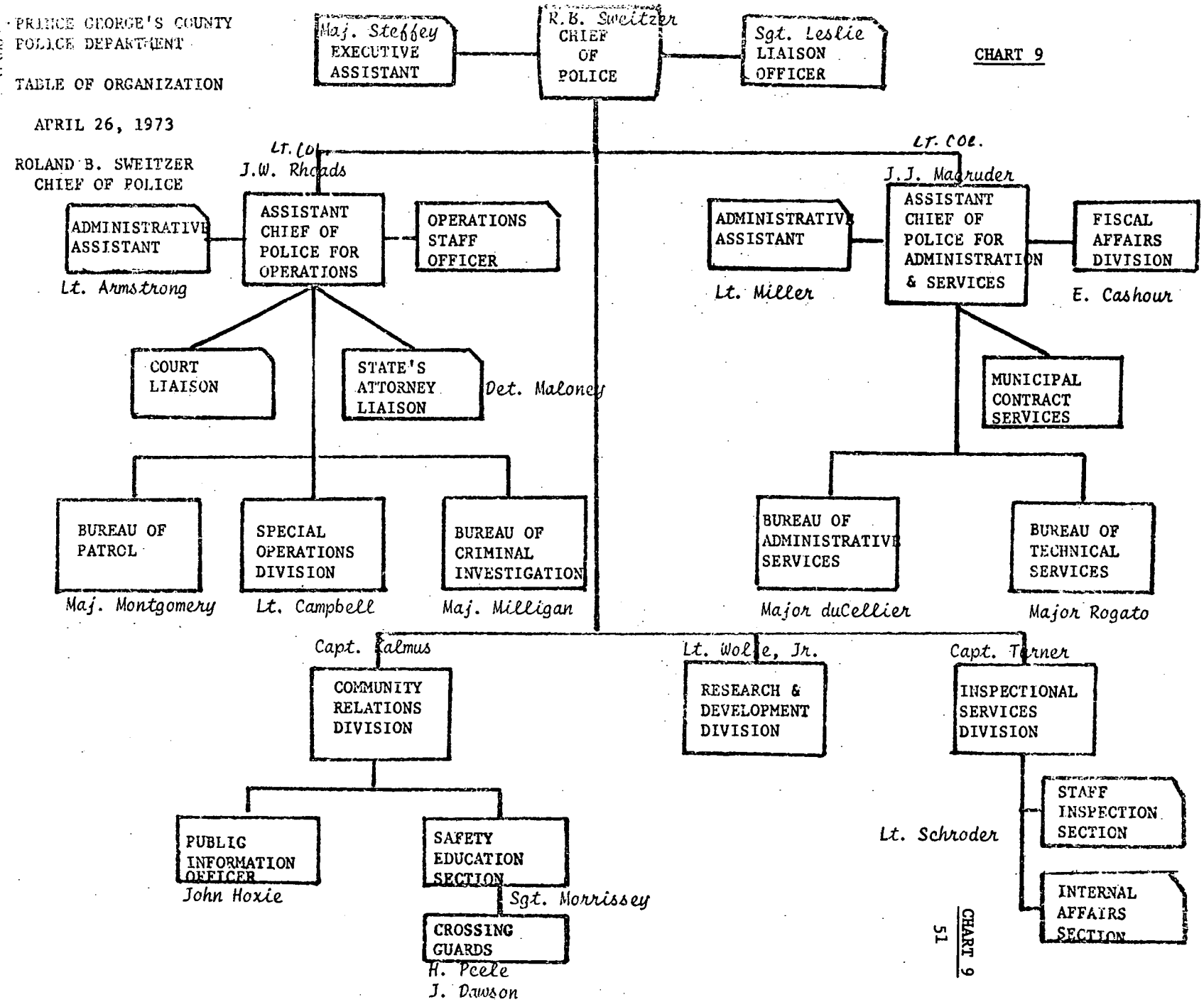
PRINCE GEORGE'S COUNTY
POLICE DEPARTMENT

TABLE OF ORGANIZATION

APRIL 26, 1973

ROLAND B. SWEITZER
CHIEF OF POLICE

CHART 9



1. Bureau of Patrol.
2. Bureau of Criminal Investigation.
3. Special Operations Division
4. Court Liaison Officer
5. State's Attorney Liaison Officer.

As third in line of command of the department, the Assistant Chief of Police for Administration and Services is responsible for the following units which are directly under his command:

1. Bureau of Technical Services.
2. Bureau of Administrative Services.
3. Inspectional Services Division.
4. Fiscal Affairs Division.

Community Relations Division provides avenues for public awareness of the consequences of crime in order to build public confidence in the police department, and to have public needs brought to the attention of the department. Efforts are being made to promote citizen participation in the solution of crimes and apprehension of criminals.

The Police Information Officer develops programs to maintain a positive image of the department and promotes good relations with the news media. An individual in this position works closely with departmental bureaus and divisions in coordinating their press releases.

Research and Development Division performs immediate and long-range general planning activities for the department. The main objective of this process is to increase the effectiveness of department operations by evaluating and updating systems, such as management information, records storage

and retrieval, and communications. The activities carried out by the Division are also intended to identify sources of grant-in-aid assistance. The Division also prepares periodic reports on the incidence of crime and operational effectiveness and methods of deploying manpower.

Perhaps the Bureau of Patrol represents one of the most important bureaus of the county police department. The purpose and function of this bureau is to prevent crime, enforce laws, protect life and property, preserve the peace, and apprehend criminals.

Bureau organization consists of the Bureau's Patrol Commander, administrative staff and four patrol districts. A basic responsibility of the Patrol Commander is to analyze data concerning crimes and incidents using the facilities of the Research and Development Division to provide necessary data and resources for making operational decisions. The Patrol Commander cooperates with other division heads in preparing programs for personnel training and development and improving community confidence and support. The Patrol Commander also inspects, at least once a month, all components of his command for readiness, efficiency and effectiveness of operation, quality of supervision and on-the-job training.

The remaining personnel in a supervisory capacity consists of a District Commander for each of the four districts. The administration of law enforcement activities combined with supervision and leadership within the district is part of the Commander's responsibility.

The Patrol Division is the backbone of the county's police department crime prevention program. This Division provides twenty-four hour protection for the county's 486 square miles and 657,000 residents.

Assistance is rendered to the patrol units by the Tactical Squad, Radio Units, and the K-9 Corps.

In addition to the Bureau of Patrol there is in operation a Bureau of Criminal Investigation. The primary purpose and function of the Bureau of Criminal Investigation is to investigate crimes, identify and apprehend criminals, recover stolen property, prevent and control juvenile delinquency, and otherwise assist the Bureau of Patrol by assuming the responsibility for in-depth detailed investigations.

Although the rate of crime in Prince George's County is lower than the average for the State or the Nation, it is higher than any other Maryland suburban county. Despite the greater crime rate in Prince George's County, neighboring jurisdictions in Montgomery County and the State of Virginia have more manpower per 1,000 residents than is true for Prince George's County. However, during FY-73 and FY-74, additional positions were authorized, bringing the department close to recommended standards (1.8 officers per thousand people) of the IACP.

The police department is also studying ways to increase its efficiency and effectiveness. Consideration is being given to devoting greater future resources to crime prevention efforts. A study is also being conducted to develop ways through which civilians can perform duties now being handled by uniformed officers. By replacing uniformed officers with civilians in appropriate jobs, more and more uniformed officers can be assigned to patrol.

The visibility of police officers is considered to be instrumental in crime reduction. The Personal Car Program is a program whereby each individual officer is assigned a patrol car for use during off-duty hours.

Some of the benefits to the department accrued from this approach have been extra, but unpaid, hours of patrol time, more police available to respond to emergency or serious felony calls, better care of vehicles, reduction in preventable reported crime, and faster response to emergency movilization.

Located under the Police Support Services (administrative services) is the Prince George's County Police Academy. Program objectives of the Police Academy are to provide initial and advanced training for all departmental recruits and experienced officers. The Academy officials are responsible for the training of all county police officers.

Specific instructional programs are planned and developed to meet departmental needs. The department conducts the programs and evaluates the results of each program. Since the Prince George's County Police Academy has been designated by the State of Maryland as a regional training academy, it provides training for all police officers operating within this region. This includes Prince George's County Police Officers, Maryland National Capital Park and Planning Commission Police Officers, and police officers of the many municipal departments located in Prince George's County. Also, sheriff's deputies from St. Mary's, Charles, and Calvert Counties and officers of the University of Maryland, College Park and Baltimore City campuses, are trained at Prince George's County Academy.

The cost of operating the police department in Prince George's County is substantial. The approved budget for FY-74 totaled $15,463,841. FY-74 budget represents a 27% increase over the budget of $12,184,813 for FY-73. Additional budget information is found below:

	FY -72	FY -73	FY-74 *	FY-75 **
Salaries	$9,519,551	$10,311,176	$12,817,828	$14,258,641
Operating Expenses	1,567,362	1,873,687	2,646,013	3,260,338
Total	$11,086,913	$12,184,863	$15,463,841	$17,518,979
State Funds included in Total	2,060,000	1,980,000	$ 1,486,141	-
Percent of Total	19%	16%	10%	-

* Appropriated

** Requested

Police Function at the County Level - In Brief

Sheriffs' offices throughout the State of Maryland are going through a period of rethinking and change in order to keep pace with the growth of their counties and the need for police services. The function of providing police protection can be considered among the most complicated responsibilities facing county government today. One of the main indicators of this factor is the crime rate and its implications. The crime rate in a particular jurisdiction can be affected by a number of factors. For instance, if programs related to recreation activities are curtailed, an increase in juvenile crime or in any other potential criminal sector may result. Inadequate public assistance may also contribute to people getting support by illegal means.

The sheriffs' offices and county police forces must be able to assess police needs and maximize operation procedures. This can be done by considering jurisdictional circumstances such as the strength of the State Police in the county and the location of the nearest barracks. In addition, there is the question of municipal law enforcement agencies and the degree to which their function is served (this will be discussed in the next

section). Some municipalities provide excellent coverage while other forces are at token levels. Some municipal police forces overshadow their county counterparts even though the greater needs (in terms of land area and population) are placed upon the county law enforcement agency.

As previously indicated, police protection is provided to residents of the counties in the State through a number of arrangements. The quality and amount of training of law enforcement officials at the county level have changed for the better. As standards for police protection and the incidents of crime rise, the cost of this function also rises. The major portion of the cost of police protection provided in the counties that were discussed above is paid for by the individual counties. For a list of the number and amount of federal grants provided to these counties between FY-71 and FY-73, see Appendix A, page 106.

Five metropolitan counties have established separate police forces that are capable of handling most types of crimes occurring in these jurisdictions. Other counties, such as Charles, Harford, and Washington, have expanded their sheriffs' offices in order to meet the increasing demands from their growing populations. Still other counties depend upon the sheriff's office and the State Police stationed in the county for whatever police protection is needed.

POLICE FUNCTION AT THE MUNICIPAL LEVEL

Municipal governments do play a major role in the area of police protection and continue to assume the responsibility for the administration

and financing of the police function. However, the performance of the police function throughout the State differs in scope, quality, and cost. The variations on a municipal level are even greater than the county law enforcement agencies. Municipal police departments are not only effected by factors of size of an individual jurisdiction and urban-rural environment, but also by the type of law enforcement agency maintained at the county level. Most of the municipal police departments in Maryland are small. In a few cases, however, municipal police departments are well staffed and may constitute the largest and most effective law enforcement agency in the county.

The following material is a discussion of a number of municipal police departments throughout the State.

Elkton - Population 5,368

Elkton is the County Seat of Cecil County and has a police force of nine full time officers, two full time clerks, and two part time deputies. The Elkton Police Department is charged with enforcing the laws of Maryland, as well as the public local laws, town ordinances and the Motor Vehicle Code of Maryland. Activities to carry out these responsibilities include investigation, crowd control, and all other related matters pertaining to police work.

The objective of the police department is to reduce crime by patrolling, investigation, and arresting violators of the laws. The municipal police department attempts to keep abreast of new developments in police work. Changes that have been made in the operations of the department as new types of scientific equipment are made available, include analysis of

evidence by neutron activation and narcotic field testing kits.

In Elkton, as in other municipalities, the policy making authority for programs comes from the Mayor and Commissioners. The day-to-day decision-making authority comes from the Chief of the department. This presents no difficulties for the Chief, and he has sufficient authority to carry out the programs under his direction.

Budgetary authority rests with the Mayor and Commissioner of the Town of Elkton. Approximately one-third of the budget is received as a result of State Aid for Police Protection. Some of the financial problems the town experiences stem from the time lapse of the initial application for receipt of funds. Although satisfied with the implementation of State Police Aid Funds, it is felt that it would be beneficial if the funds were mailed directly to the town rather than through the county's treasurer's office.

As with so many other governmental jurisdictions, improving the delivery of services would require funds for additional personnel and equipment. The cost of providing police protection to the town has continued to rise over the years. Budget for FY-74 is $133,837. This represents an increase of 20% over FY-73 budget of $111,385.

Additional financial data are found below:

	FY-71	FY-72	FY-73	FY-74 *
Salaries	$ 65,754	$ 76,502	$ 85,724	$ 98,207
Operating Expenses	19,449	17,388	17,912	25,060
Capital Outlay	53,492	19,128	7,749	10,570
Total	$138,695	$113,018	$111,385	$133,837
State Funds included in Total	$ 42,543	$ 46,632	$ 45,411	$ 41,320
Percent of Total	31%	41%	41%	31%

* Appropriated

Easton - Population 6,809

The City of Easton, County Seat of Talbot County, has a police force of 14 officers plus two full-time and two part-time clerks. In terms of organization structure, the Police Chief handles general administration of the police department, budgeting, planning, and general operations. A Lieutenant is in charge of the department in the absence of the Chief, and is also responsible for training. A Detective Sargeant is in charge of the criminal investigation division, while the remaining Sargeants and three Corporals handle changes in shifts. Three Private-First-Class Officers and three Patrolmen are assigned to general duty, foot patrol, car patrol, accident investigation, and traffic control.

Recruit training of municipal officers is accomplished through the Maryland Police Training Commission. Temporary classes do exist at various locations, but there is strong feeling on the part of the municipal officials that there should be one centrally located training center. This school could, it was suggested by the Chief, be located near Annapolis and supported by the State.

Pensions, hospitalization, life insurance, liability insurance, and retirement at the age of 60 at 70% of salary, are part of the benefits now available to Easton police personnel. According to officials, the starting salary of $8,000 is comparable to other agencies and enhances the chances of attracting qualified applicants. A municipal law enforcement official also expressed hope that local jurisdictions would be entitled to a portion of the fines that go to the State as a result of traffic violations, especially if it is a town enacted local ordinance.

The State Police or sheriff's office handles investigations of activities occuring outside the City limits. City police are not deputized by the Sheriff so that incidences of crime and other police matters occuring just outside municipal boundaries must wait for the sheriff's deputies or the State Police. According to a municipal official, problems associated with investigations are a result of the poor relationship between the municipal police and the sheriff's office.

Problems facing law enforcement officers in Easton include larcenies, simple assaults, and traffic accidents. The change-over to the new computer-oriented forms for police officers may take as much as 45 minutes of the officer's time to fill out. Combined with the demand for greater public services, night deposit security, trivial incidents such as family disputes which take up an inordinate amount of manpower and time, the attempt to meet these demands have caused a strain on law enforcement operations.

With regard to community-police relations, Easton is a small city that is conducive to personal contacts which can be maintained. This means that there is little need for an elaborate community relations program. Visits are made to schools and community and civic groups. In terms of citizen support, there are provisions for civilian non-uniform personnel. School crossing guards and the cadet program utilize high school seniors.

The appropriated funds to operate the Easton Police Department in FY-74 are $191,200. Additional financial information is found below:

	FY-72	FY-73	FY-74 *	FY-75 **
Salaries	$129,700	$140,900	$162,000	$173,215
Operating Expenses	22,800	30,300	29,200	51,200
Total	$152,500	$171,200	$191,200	$224,415
State Funds included in Total	$ 24,792	$ 25,511	$ 25,588	-
Percent of Total	16%	15%	13%	-

* Appropriated

** Requested

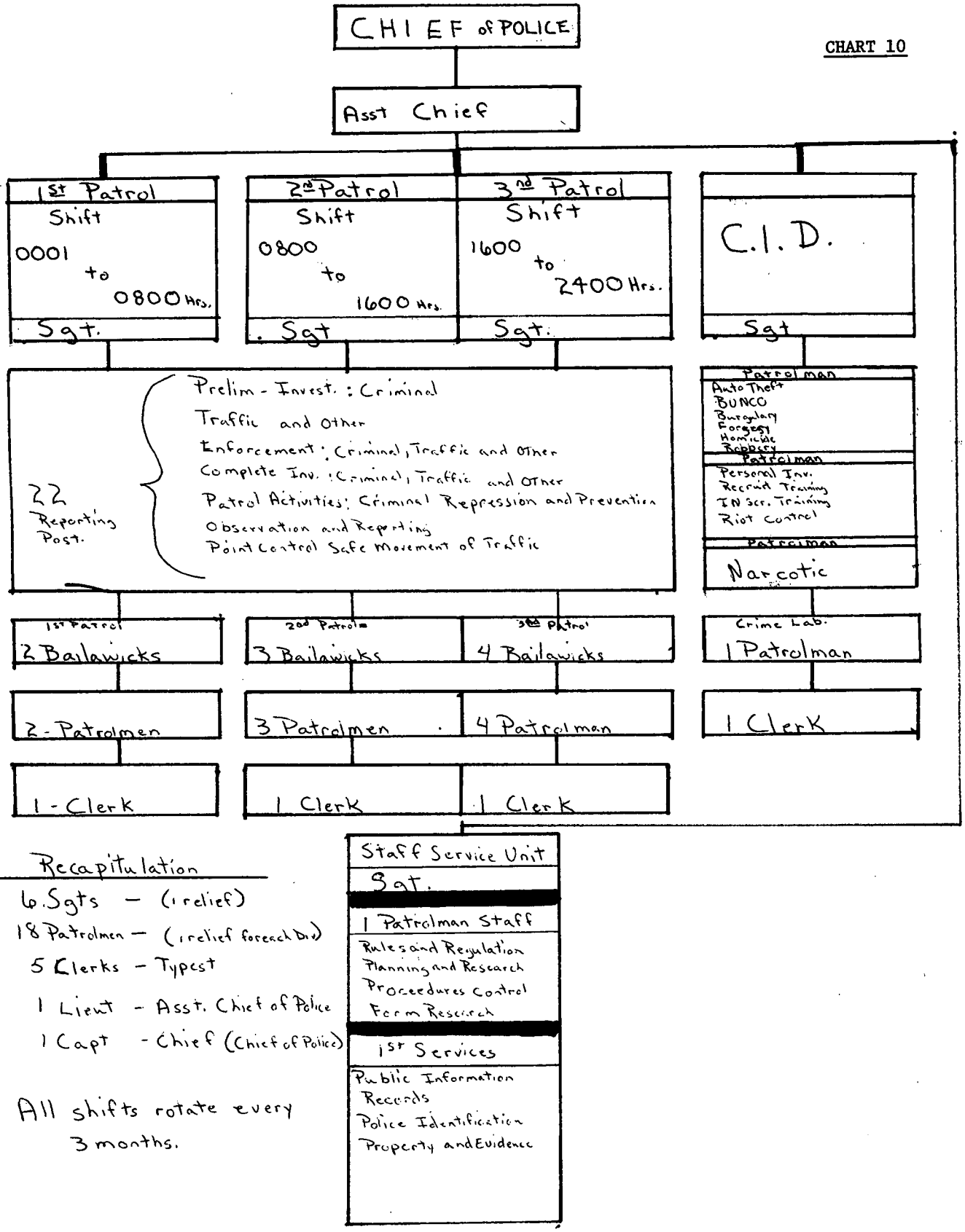
Bel Air - Population 6,307

Bel Air is the County Seat of Harford County but continues to be affected by the growth in the Baltimore metropolitan area. The Bel Air Police Department functions within the boundaries of the city. The specific duties and responsibilities are to preserve the public peace, to detect and prevent the commission of crime, to enforce the laws of this State and of the Mayor and Town Commissioners of Bel Air, to apprehend and arrest criminals and persons who violate or are lawfully accused of violating such laws and ordinances, to preserve order at public places, and to maintain the orderly flow of traffic on public streets and highways.

One major concern of the town police officials is training. Usually, the Maryland Police Training Commission is the vehicle for training the town's police officers but the courses are often filled and not conveniently located. According to town officials, it takes a year, with time off, to train each officer. The closest center for the current training program is Hagerstown which is too far away to commute to and from each day. It is also contended that it is too expensive to live near the training facility while an individual goes through the program. Nevertheless, Bel Air has 26 sworn personnel (see Chart 10, page 63) including one plain clothes

The Bel Air Police Dept.

CHART 10



Recapitulation

6 Sgts – (1 relief)
18 Patrolmen – (1 relief for each Div)
5 Clerks – Typest
1 Lieut – Asst. Chief of Police
1 Capt – Chief (Chief of Police)

All shifts rotate every 3 months.

officer, part-time follow-up investigation clerks, and policewomen.

Police protection for the Town of Bel Air appears to be adequate at present. However, a survey of the operations of the Bel Air Police Department was made in early 1973 by the International Association of Chiefs of Police. A number of recommendations were designed to add up-to-date methods of police activities and improve the overall performance of the department. As with most improvements, the costs are high. In most instances, the department is forced to operate within the confines of its budget limitations, making it difficult to initiate improvements.

The appropriated budget of the police department in FY-74 is $236,320. This is a 12% increase over the previous year budget of $170,496. Additional financial information is provided below:

	FY-72	FY-73	FY-74 *	FY-75 **
Salaries	$124,156	$145,383	$210,140	$237,475
Operating Expenses	27,124	25,113	26,180	37,100
Total	$151,280	$170,496	$236,320	$274,575
State Funds included in Total	$ 30,388	$ 40,999	$ 44,899	-
Percent of Total	20%	24%	19%	-

* Appropriated

** Requested

Ocean City - Population 1,493

Ocean City, Maryland, located in Worcester County, has a Police Chief who is appointed by the Mayor, with the approval of the Council's seven members. In the past several years, Ocean City's growth is not only the biggest boom in Maryland, but most likely the Eastern Seaboard.

The unique situation in Ocean City is that it goes from a small town in winter months to the second largest city in Maryland for approximately four months of the year. The population exceeds 200,000 people during summer weeks. Due to the many new high rise facilities it is difficult to estimate the number of people in the city during the winter or fall months.

The personnel of the Ocean City Police Department are trained by the Maryland Police Training Commission. There are in-service training classes during the winter months, as well as personnel attending any training classes offered by the Commission. About 38% of the department's personnel attend institutions of higher learning and take law enforcement related courses.

Organizationally, the department is headed by a Chief, with a Captain or Assistant to the Chief as a second in command. The line operations (investigation and patrol) are directed by Lieutenants. It is the Sergeant who is directly responsible for and the immediate supervisor of the men on patrol duty (see Chart 11, page 66).

The laboratory is under the command of the Detective Lieutenant and is operated by a qualified chemist on a full-time basis. Modern laboratory equipment was purchased with funds from the Governor's Commission on Law Enforcement and Administration of Justice. Most of the laboratory work on the Eastern Shore is handled through this laboratory.

A Records Division was recently established in an attempt to maintain all records and afford better service to the public. The Division is answerable to the Chief of Police and is maintained with civilian personnel only. A secretary/clerk is in charge.

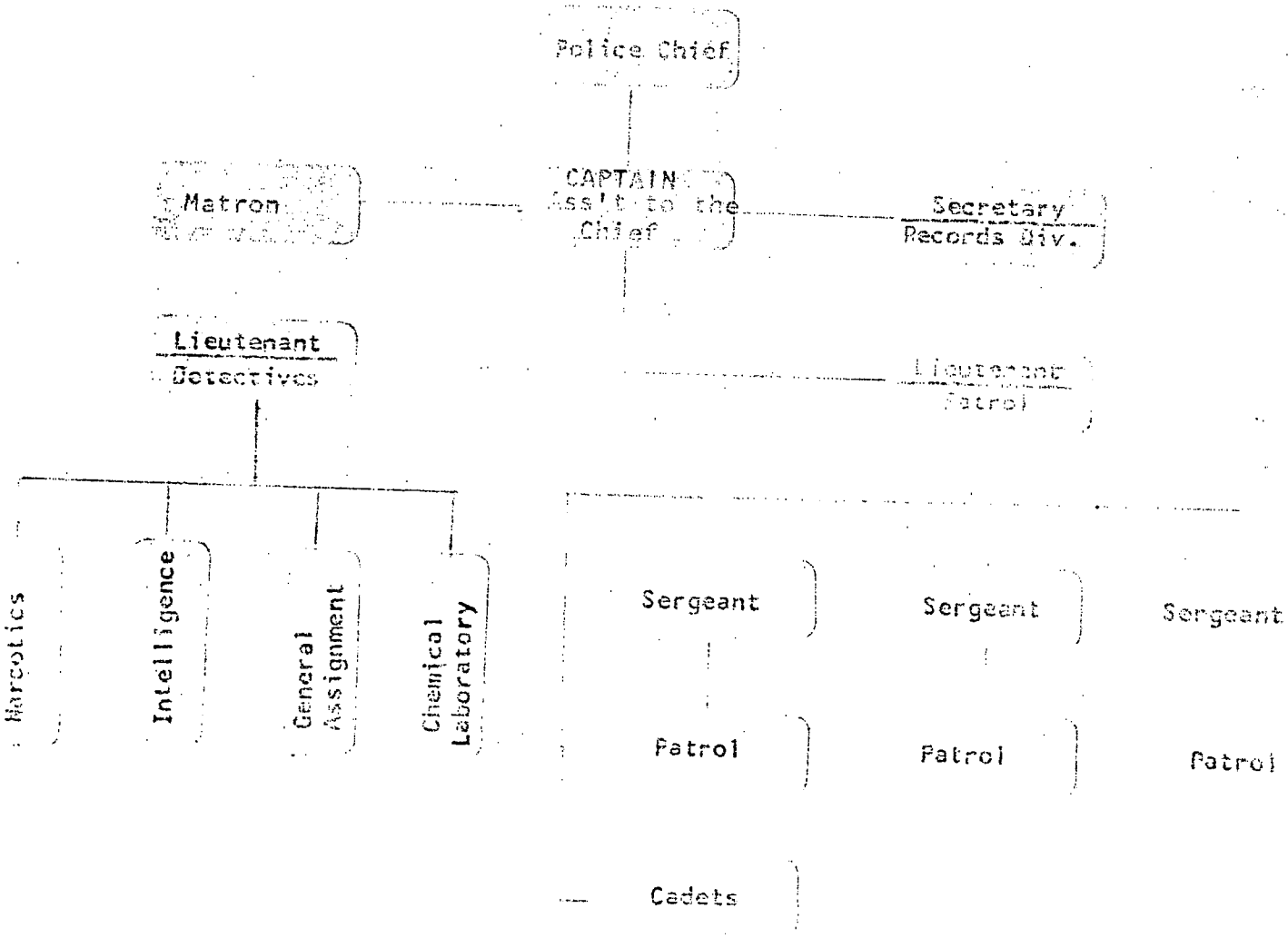
Ocean City Police Department

Ocean City, Md. 21842

289-5454

Director
Commandant
Lee Duggan

Deputy Chief
Raymond H. Hudson



OCEAN CITY POLICE DEPARTMENT
ORGANIZATIONAL CHART

In addition to matrons, who are required primarily for female prisoners, a cadet program was instituted two years ago. Their primary duty is to issue parking summons (meter patrol), traffic details and assist the desk officer. Individuals must be between 18-21 years of age and have a high school diploma.

One of the main missions of the department is to have all men trained properly for law officer positions. The Chief echoed the sentiments of a number of other Eastern Shore law enforcement officials by being hopeful that the Governor's Commission on Law Enforcement and the Administration of Justice will provide for more and better training facilities in the Eastern Shore area and give their men the same opportunities that employees of larger police agencies receive in terms of training.

The following is a list of improvements recently initiated by the department which police officials feel are needed to provide the types of positive development necessary for a minimum level of law enforcement services:

1. Installation of a receiving desk in the center hall with a central telephone system.
2. Establishment of a records division with a file system for arrests, reports, tickets, etc.
3. Development of contral control numbers on all service calls.
4. Institution of new police reports with the same reporting as state and other larger agencies.
5. Hiring of two undercover agents for drug problems through a grant from the Governor's Commission on Law Enforcement and the

Administration of Justice.

6. Hiring of ten additional men over a three year period.
7. Adopting a pay scale which exceeds State standards
8. Institution of promotional examinations.
9. Enlargement of the chemical laboratory with more modern and satisfactory equipment.

The Chief is satisfied with present working relationships and has a working agreement with the governing body. The functions of the police rest with the police department head. Policy making is that of the Chief, answerable to the Mayor and City Council.

The image of the department is said to be improving. There are no programs at present that really involve the community. However, it is hoped that an auxiliary police station can be established, which should help immensely in a small town.

The appropriated funds to operate the municipal police department in FY-74 amount to $630,800. The pattern of expenditures for police protection in Ocean City over the years if found below:

	FY-71	FY-72	FY-73	FY-74 *
Salaries	$241,386	$346,120	$458,417	$546,050
Operating Expenses	88,628	75,508	87,408	84,750
Total	$330,014	$421,628	$545,825	$630,800
State Funds included in Total	$ 31,846	$ 24,201	$ 25,075	$ 24,115
Percent of Total	10%	6%	5%	4%

* Appropriated

Takoma Park - Population 18,455

Takoma Park is located in both Prince George's County and Montgomery County. The police department consists of 31 full-time sworn officers, three dispatchers, and one clerk typist. Eleven uniformed crossing guards also operate under the direction of the police department (see Chart 12, page 70.

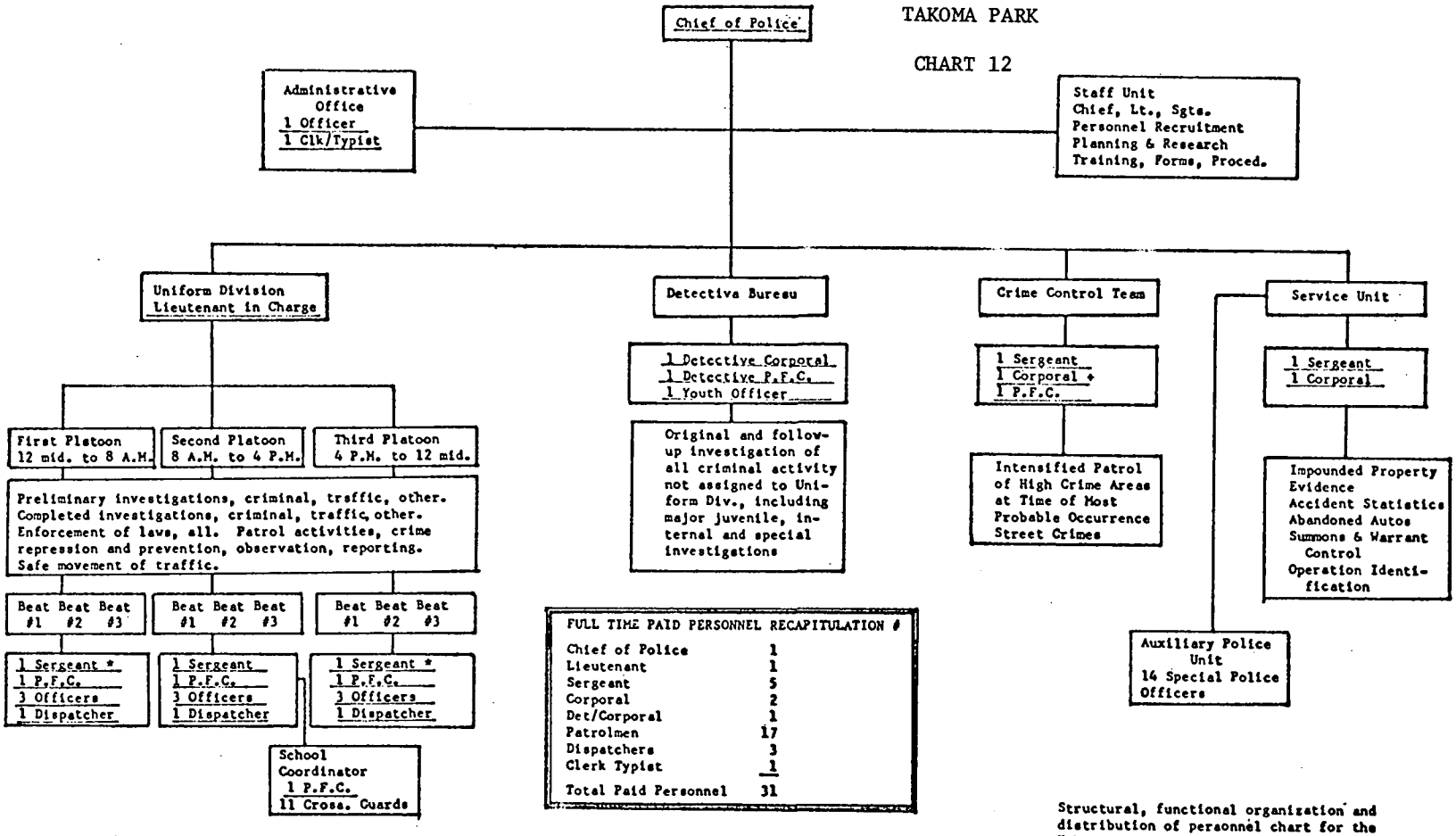
The department is charged with the responsibility for preservation of peace, protection of life and property, prevention of crime, and the arrest of violators of the law within a 2.2 square mile area of both counties. Of the 18,455 people who live in the corporate limits, 12,485 live in Montgomery County and 5,970 live in Prince George's County. The citizens are afforded one and one-half police officers per 1,000 population. The national average is somewhat lower than this level of service. In addition, it is thought that the counties, if charged with providing police services, would probably not be able to provide this level of manpower.

All officers receive Maryland Police Training Commission recruitment training, and meet all recommended standards for the State of Maryland. The department has seven cars and two motorcycles. The police department operates its own two-channel base station which communicates with 9 mobile units and 7 portables.

The Communications Center is manned seven days a week, 24 hours a day. It contains a switchboard with a central number for police service and received 47,219 calls in 1972. An additional 8,309 persons came to the police department for information or assistance. The Communications Center also transmitted 40,536 times during 1972. Included in the

TAKOMA PARK

CHART 12



FULL TIME PAID PERSONNEL RECAPITULATION #	
Chief of Police	1
Lieutenant	1
Sergeant	5
Corporal	2
Det/Corporal	1
Patrolmen	17
Dispatchers	3
Clerk Typist	1
Total Paid Personnel	31

* Position filled by Corporal
\# Includes P.F.C.s & Youth Officer
\+ Position filled by P.F.C.

Structural, functional organization and distribution of personnel chart for the Takoma Park Police Department

communications system is a Wales Terminal which is now interfaced with the Miles System, a new type teletype machine, and a central alarm board for commercial establishments. This board is now hooked up into 47 out of the 230 city's business establishments.

The Takoma Park Police Department has been able to attract well qualified personnel. Departmental officials indicated that officers are high school graduates while thirteen of the 31 officers have college training. In addition to the recruit training standards, they further receive 80 hours of investigative training.

The Detective Bureau of the Department handled 2,334 cases in 1972, ranging from murder to minor misdemeanors. The department handled 1,062 Class I serious offenses in 1972, an 11.7% drop over 1971. This drop was due, in part, to the implementation of the crime control team, a highly trained and specialized three man unit working in the high crime areas at times of the most probable occurrence and on days of most probable occurrence. The crime control team has been termed successful, making 60 spontaneous arrests in their first six months of operations. The majority of these cases were for serious offenses.

The Uniform Division responded to over 18,000 calls for service in 1972. One officer is assigned as School Safety Coordinator and guides the Safety Patrol at seven school crossings and regulates eleven uniformed crossing guards. One officer is assigned to work with juveniles. This individual is designated as a Youth Officer and his work is related mostly to preventive, rather than apprehensive action. The Youth Officer handled 95 cases out of the total 200 handled by the department during 1972. In addition, the Officer counseled juveniles and worked with those on probation.

The department made 507 criminal arrests in 1972 and a total of 7,931 traffic arrests. Because of their ratio of officers per 1,000 population, it appears as if these officers are able to offer more personal services than those departments in the surrounding area and are able to close out a high percentage of cases. Contingency plans, covering almost all disaster situations, such as airplane crashes, riots, snipers, etc., have been formulated and are available in the event of an emergency. Officers are trained in civil disturbances and anti-sniper procedures.

A Central Records Bureau is maintained by the department, complete with accident reports and records, arrest records, photograph and fingerprint files. In addition, a uniform crime report is submitted to the Federal Bureau of Investigation, while monthly and annual reports are provided to the National Safety Council. The department participates in a number of Metropolitan Council of Government Committees and Subcommittees.

As a service to the public, the department checks the houses of citizens who are away. Commercial establishments are also closely checked during the night hours. One popular service offered by the department is "Project Theft-Guard." Engraving tools are loaned to citizens to engrave their driver's license numbers on their valuables for easy identification in the event of theft. A file is maintained of all borrowers and their identifying numbers. Bicycles are registered for adults and children. A license plate is affixed to each bicycle and a file is maintained by the department containing the plate number, description of each bicycle, and

the name and address of each owner.

During FY-74, the cost to operate the police department was $450,022. This represents an 80% increase over a four year period. Additional financial information is found below:

	FY-71	FY-72	FY-73	FY-74 *
Salaries	$174,249	$267,115	$300,530	$322,790
Operating Expenses	69,879	90,320	118,202	118,792
Capital Outlay	8,495	16,929	17,995	8,440
Total	$252,623	$374,364	$436,727	$450,022
State Funds included in Total	$ 37,004	$ 35,526	$ 34,445	$ 31,476
Percent of Total	15%	9%	8%	7%

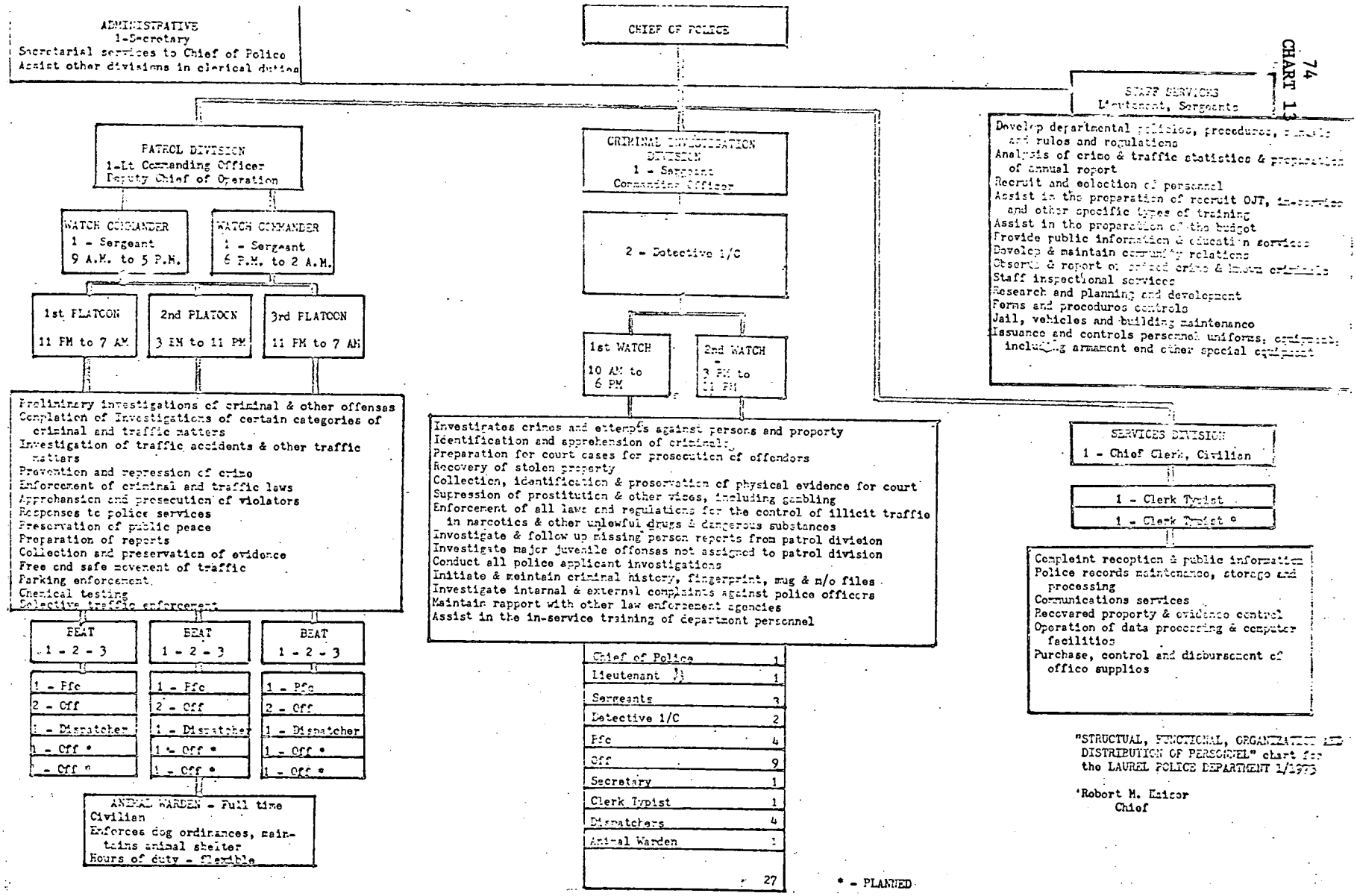
*Appropriated

Laurel - Population 10,528

The Laurel Police Department is organized under three major divisions: Patrol, Criminal Investigation, and Services. The Patrol Division Commander acts as Chief of Police in the absence of the Chief of Police. The organization Chart 13, found on page 74, denotes the divisions of the department while the heavy lines indicate the line of command. In addition to the Chief and sworn line officers, the department includes four dispatchers and an animal warden.

With twenty sworn officers, the Laurel Police Department provides a ratio of two police officers per 1,000 population for its citizens. In

CHART 13



"STRUCTUAL, FUNCTIONAL, ORGANIZATION AND DISTRIBUTION OF PERSONNEL" chart for the LAUREL POLICE DEPARTMENT 1/1973

'Robert M. Eaicor
Chief

addition, the officers are trained through programs of the Maryland Police Training Commission with continued training being accomplished by utilizing in-service training programs.

Major emphasis of the police department is on the repression of crime. In this activity, adequate patrols plus a continuous effort toward eliminating or reducing hazards are stressed. Activities of this nature are viewed as the principal means of reducing the opportunities for criminal action.

Apprehension of offenders, recovery of property and regulation of non-criminal conduct or violations are also areas of concern to the police department. At times, these activities are carried out in cooperation with county and State Police. However, it was stated by police officials that they are able to handle most incidents of crime that occur within the city limits.

The department maintains a speakers bureau which officials feel is one of their strongest programs in the department to maintain a good rapport with all segments of the community. It also enables the department to develop and present timely programs of interest, including traffic safety, crime prevention, narcotics and human relations. Actual community involvement of both individual or groups of officers also helps to develop a closeness between the department and the community, and dispell apathy.

Final operation and budgetary authority is exercised by the Mayor and City Council and not the Chief of Police. Special funds from the State Aid for Police Protection fund makes up about 7.1% of the budget in FY-74. Budget information is as follows:

	FY-71	FY-72	FY-73	FY-74 *
Salaries	$160,533	$201,018	$235,181	$321,909
Operating Expenses	77,224	76,076	109,559	142,346
Total	$237,757	$277,094	$344,740	$464,255
State Funds included in Total	$ 48,149	$ 41,974	$ 39,021	$ 33,418
Percent of Total	20%	15%	11%	7%

* Appropriated

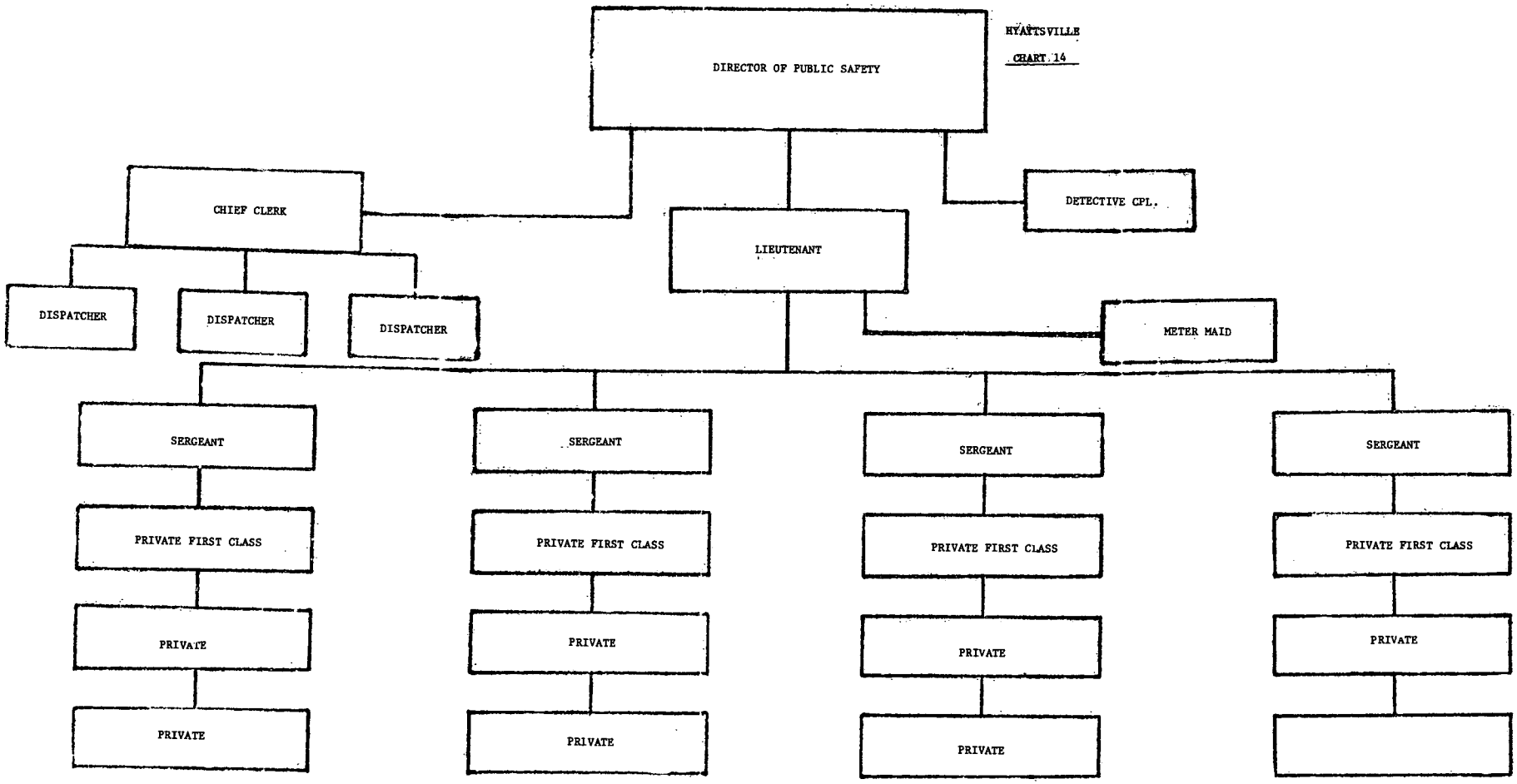
Hyattsville - Population 14,998

The City of Hyattsville has the second largest municipal police force in Prince George's County next to Laurel. The department consists of 18 uniform men including an investigation, coding and juvenile division under the direction of a Director of Public Safety. All personnel undergo thorough training as part of the Maryland Police Training Commission, and are encouraged to pursue programs for college credit in law enforcement and criminal justice (LEAA funds are used as partial payment for courses). Supportive services for schooling, plus other benefits from the department, result in little recruitment problems, minimal turnover, high morale, easier scheduling, and better trained personnel.

Hyattsville has, according to police officials, an effective departmental operation (see Chart 14, page 77). The Director of Public Safety is responsible for the police department. The individual in this position works very closely with one of the assigned councilmen who serves

HYATTSVILLE

CHART 14



as Police Commissioner. The Director is the chief executive officer of the department and has final divisional authority on all matters of policy, operation, and discipline. The Director is responsible for the enforcement of all laws coming within the legal jurisdiction of Hyattsville.

The Director has authority for planning, directing, coordinating, controlling, and staffing all activities of the department. This includes continued and efficient operation for the enforcement of rules and regulations within the department. The Director also oversees the development and forwarding of such reports as may be required to the proper authority, and for the division relations with local citizens, as well as with outside agencies.

As is the case with Laurel, the officials of Hyattsville Police Department feel they have the trained personnel and much of the equipment needed to handle any incident occurring within the municipal boundaries. Occasions do arise when the municipal police department will cooperate and join other law enforcement agencies in the area in a particular program or event. Generally, however, the municipality handles all calls from residents of the City.

The City Council cooperates with the department by supporting its requests for equipment, vehicles, weapons, uniforms, and other needs. Local funds are used for trading in nine cars, every year. Federal funds are used for their communications system. The police department's budget has seen a 31% increase in the past four years. Financial information concerning the operation of the police department is found below:

	FY-71	FY-72	FY-73	FY-74 *
Salaries	$168,184	$176,915	$207,278	$229,928
Operating Expenses	29,101	28,931	29,758	28,000
Total	$197,285	$205,846	$237,036	$257,928
State Funds included in Total	$ 43,994	$ 39,693	$ 34,278	$ 26,734
Percent of Total	22%	19%	14%	10%

* Appropriated

Salisbury - Population 15,525

The Salisbury Police Department is made up of forty-seven individuals, forty-one of whom are sworn officers. The Chief of Police is the chief executive officer of the police department and the final departmental authority in all matters of police operations and discipline. The Chief is assisted by the Inspectional Services Unit. The Inspectional Services Unit is a direct arm of the Chief and provides for internal investigations and continual overt inspections of departmental procedures and the operational standards of all divisions, sections and units of the department. The department itself is separated into three major divisions, Uniform Division, Criminal Investigation Division, and Services Division.

The Uniform Division is primarily responsible for protecting the public from unlawful acts and other hazards of public safety. It provides around-the-clock patrols of the City and preliminary investigations of all crimes and incidents reported to the police. Uniformed officers prepare reports to serve as a permanent record of all occurrences and

assist investigators assigned to perform follow up investigation activities.

The second division, the Criminal Investigation Division, investigates felonies and other matters and arrests perpetrators of these crimes. Personnel of this division assist in the evidence gathering and examination, take confessions, prepare cases for court, and perform other activities in order to facilitate prosecution. The division is divided into General Assignment, Narcotics, and Polygraph Sections.

Finally, the Services Division of the department groups together the internal management and the service activities of the department into a single entity. The division has the responsibility for communications, records, property management, personnel, training, and logistics.

Salisbury Police Department is not only large when compared with other municipal law enforcement agencies, but the department is larger than the county sheriff's office, which is responsible, with the State Police, for police activities in the unincorporated areas of the county. The incidents of crime are not as numerous as found in urban and suburban areas. Nevertheless, successful solutions to crime when it occurs depends upon cooperation of all law enforcement agencies.

Costs to operate the police department over the past few years are provided below:

	FY-72	FY-73	FY-74 *	FY-75 **
Salaries	$358,313	$393,049	$408,145	$458,564
Operating Expenses	56,243	70,230	77,818	140,491
Total	$414,556	$463,279	$485,963	$599,055
State Funds included in Total	$ 98,556	$ 89,739	$ 77,771	-
Percent of Total	24%	19%	16%	-

* Appropriated
** Requested

Cumberland - Population 29,724

The City of Cumberland with a police force of 70 and a population of 29,724 is located on the West Virginia border and four miles from the Pennsylvania line. The Commissioner of Police is the head of the police department and must approve all orders within the police department. The Chief of Police is in charge of day-to-day operations of the police department. The Chief issues all orders and changes of policy for the department, with the approval of the Police Commissioner. The selection and management of personnel is the Chief's most important administrative task.

Organizationally, the police department is divided into the following divisions:

1) Traffic Division is designed to control highways, automobiles and people in order to facilitate the safe and rapid movement of automobiles and pedestrians. The major program is to provide traffic control that is effective in accident reduction and elimination of traffic congestion.
2) Criminal Investigation Division is organized to investigate certain serious crimes in order to arrest and convict the perpetrators and recover the stolen property. The major purpose of the division is to remove offenders from society on the grounds that they may commit additional offenses unless isolated.
3) Training Division is to make sure the officer performs all tasks with ease and in such a manner as to ensure his safety

and the safety and satisfaction of the public. Training is designed to provide a background of knowledge acquired through either actual or simulated experiences to which current situations may be related for judgment.

The Cumberland Police Department, like many other agencies, gets involved with activities that it feels should be performed by another agency. A good example of this situation is that the department places all signs governing traffic in the city. Responsibility for this activity should be placed with the Engineering Department since this department plans the streets and intersections. It is further argued by police officials that good engineering, as in the example of locating and timing of traffic signals, simplifies traffic control and frees manpower for other duties. Policemen are not engineers and are primarily concerned with the discovery and remedy of accident and congestion hazards. A separate sign and signal unit working within the engineer unit is thought to be the answer to this problem.

Another situation faced by the police department is patrolling the city airport. The Cumberland Airport is located in West Virginia. Since officers really have no authority in West Virginia, they are opposed to checking this facility.

The cost of operating the police department has continued to rise over the past few years. Budget information is provided below:

	FY-71	FY-72	FY-73	FY-74 *
Salaries	$478,439	$518,344	$580,986	$656,282
Operating Expenses	204,843	222,387	217,070	306,565
Total	$683,282	$740,731	$798,056	$962,847
State Funds included in Total	$228,550	$203,655	$195,344	$182,687
Percent of Total	33%	27%	24%	19%

Frederick - Population 23,641

The Frederick City Police Department has a total of 77 men on its force. Excluding Baltimore City, the Frederick City Police Department is the second largest municipal force in the State.

The Chief of Police is appointed by the Mayor subject to the approval of the Board of Aldermen and he serves at the pleasure of the Mayor, unless he is dismissed for cause by the Board of Aldermen. Charged with the execution of the activities of the department, the Chief is responsible for the administration, discipline, training, efficiency, effectiveness, and morale of the department. General duties of the Chief consist of creating and maintaining divisions, bureaus, and the unity necessary for the proper functioning of the department while assuring that the operations of these sections are mutually supportive and cooperative.

The department is organized into three major operating divisions. First, the staff of the Criminal Investigation Division is responsible for the direction and successful completion of an investigation by the arrest of the perpetrators and by the recovery of stolen property in crimes involving theft. The supervisor of the Division is held accountable for the investigation of all fires of suspicious origin that are assigned by the

Chief of Police and for the arrest of those responsible.

Also, the division is responsible for taxicab applications and annual inspection, and scrutinizing the dealings of all pawnbrokers. The supervisor assists in returning lawbreakers from other jurisdictions and maintaining proper police relations with other law enforcement agencies, both within and outside the State.

Second, the Patrol Division is responsible for the proper handling of any serious or unusual fire, collision, catastrophe, major crime or incident. The supervisor of this division strives to plan and provide for the adequate policing of all activities which will be attended by large numbers of persons.

Finally, the Training, Planning, and Research Division performs a variety of activities. This Division has control of the Police Training Academy. Study and evaluation of future training needs for the department are accomplished through this division. Curricula and specific courses of study for cadets and officers are planned.

The supervisor in charge of the Division identifies, defines, and evaluates the problems which impair the functioning of the department. Surveys and studies are conducted by the Division and are used to provide accurate appraisal of the criminal activities within the City, the deployment of personnel, and future demands for service upon the department.

Cooperation between the municipal police departments and other law enforcement agencies in the area are limited. However, occasions do arise when cooperation is necessary in order to carry out specific activities.

The appropriated funds for FY-74 to operate the police department

amount to $1,079,739. This is a 64% increase over the last four years. Additional financial information is found below:

	FY-71	FY-72	FY-73	FY-74 *
Salaries	$531,209	$567,415	$792,685	$896,256
Operating Expenses	77,804	128,069	151,317	183,483
Total	$609,013	$695,484	$944,002	$1,079,739
State Funds included in Total	$156,517	$128,261	$114,964	$106,703
Percent of Total	26%	18%	12%	10%

* Appropriated

Police Function at the Municipal Level - In Brief

Law enforcement at the municipal as well as the county level varies in many respects from one jurisdiction to another. The cost of maintaining municipal police departments continues to increase. These costs affect the recruitment, training, and basic operations and are major factors that can determine how effective a municipal police department can be.

Most municipalities do not receive LEAA funds (see Appendix B, page 107). Generally, LEAA funds are not available for salaries and operating exepnses, but rather for specific programs. Since many municipalities do not become involved with special programs, grants are not made available to them.

To the residents of a particular municipality, the town police officer represents security. The municipal department may not hire the manpower to provide police protection twenty-four hours a day, but it is felt they can provide more protection than any other police agency. In some areas of the State, the municipal police department may represent the largest and most sophisticated law enforcement agency in the area. On the other hand, where a larger agency such as a county police department

is available, the question of duplication and overlapping activities is raised.

Police protection is often regarded as a local function. The question that remains is whether local means county, municipality, or a combination of the preceding two local governments.

BALTIMORE CITY POLICE DEPARTMENT

As with many other functions performed in the City of Baltimore, law enforcement, as an activity, is distinguishable from other law enforcement actitivies carried on throughout the State in terms of organization, size and population served. Sworn officers within the Baltimore City Police Department number 3,750 while the total staff, including civilian personnel, approaches 5,000. A population of 905,759 is served by the police force which must cover an area of 86 square miles.

The head of the department is the Police Commissioner who is responsible for the overall operation of the department. The Commissioner is appointed by the Governor. The procedure which allows the Governor of the State to appoint the Commissioner dates back to the early 1900's when corruption in the City reached a point where the State had to become involved with the police function through the General Assembly by changing the law affecting the police function as it applied to the selection of a Police Commissioner.

Organizationally, the department has a Legal Advisor and three special staff divisions (Inspectional Services, Planning and Research, and Public Information) that are immediately responsible to the Police Commission. According to Article 32A, Section 2, of the Annotated Code

of Maryland, the Attorney General, in addition to those duties prescribed by law, is also the Legal Advisor and performs all legal work for the Baltimore City Police Commission.

The Inspectional Services Division keeps the Commissioner informed of the activity of organized crime and subversive organizations within the community and ensures the proper conformity of personnel with departmental policy procedure. The Planning and Research Division is responsible for the compilation of the statistics used in the deployment of manpower in order to insure the efficient assignment of officers throughout the City at any time. Finally, the Public Information Division releases department-related news to the local media, handles requests and inquires about the department, and prepares and publishes annual reports.

The line activities consist of the Administrative Bureau, Operations Bureau, and the Service Bureau.

Administrative Bureau

The Administrative Bureau conducts the internal affairs of the department. Specific staff functions of the department are centralized within this bureau and are conducted within the following four divisions.

Personnel Division is responsible for the recruitment and selection of personnel and for conducting various evaluative programs needed to gauge the performance of employees. The Division also administers a promotional program, a retirement system, and work schedule. Medical evaluation and history records are maintained.

Education and Training Division is responsible for providing a sixteen week recruit program in basic practical applications of law enforcement.

Recruit training classes are conducted in criminal and constitutional law, human relations, firearms handling, self defense, first aid, psychology, sociology, investigative skills, and report writing. Although the spectrum of material presented is broad, it still must adhere to the standards of a multi-facet activity.

Internal Investigation Division reviews complaints received by the department concerning excessive force, unwarranted action, neglect of duty, misconduct, possible violation of the criminal statutes or discourtesy. A Complaint Evaluation Board convenes once a month to review the results of investigations.

Fiscal Affairs Division allocates monetary resources for the department and manages the budget. The bulk of the operating expenses go to pay salaries and other personnel expenses (financial information will be provided later). The remainder of the budget is expended on various contractual services, materials, supplies, equipment procurements and replacements.

Operations Bureau

The Operations Bureau performs the primary police functions for the department and is, therefore, the largest bureau in terms of manpower. The Bureau comprises four main divisions.

Patrol Division is the department's uniformed force. It consists of nine Police Districts and the Tactical Section. The Tactical Section includes the Marine Unit, Operations Unit, K-9 Unit, and Supportive Services Unit. Every other division functions to assist the work of patrol.

Criminal Investigation Division works as a specialized enforcement

group to follow up every major crime with an intensive investigation. It coordinates evidence gathering and examinations, takes confessions, prepares cases for court, and performs other activities in order to facilitate prosecution. The Division is divided into four sections: Crimes Against Persons, Crimes Against Property, Vice Control, and Special Investigation. These subdivisions were created to answer definite investigative needs and render a high level of supportive services to the Patrol Division.

Community Services Division, the third subdivision of the Operations Bureau, came into being in 1971. The Division includes the previously separate Community Relations and Youth Divisions. These Divisions were joined together to provide greater participation from the citizenry while obtaining their support, suggestions, criticisms and inquiries.

Traffic Division assumes primary responsibility for maintaining safe traffic flow while reducing the number of careless or negligent motorists. The Division is organized into four sections: Traffic Investigation (the backbone of the Division), Enforcement Unit, Parking and Intersection Control, and Administration.

Services Bureau

Services Bureau consolidates those activities of a logistical nature designed to assist in the accomplishment of primary police tasks. The Bureau is composed of the following:

Communications Division is the most important link to the Patrol Division in its crime fighting efforts. Every call for police service

is dispatched through communications. Information is recorded and a computerized number assigned and then dispatched to available patrol vehicles in the area.

Central Records Division is responsible for maintaining a centralized records system. After the preliminary investigation is concluded, the report concerning all pertinent information is sent to Central Records Division. The report contains items such as fingerprint cards, criminal arrest history sheets, traffic records, and pawn shop records.

Laboratory Division is responsible for crime scene searches and ballistics tests of evidence collection. It also conducts chemical analyses and performs photographic assignments.

Property Division is responsible for all departmental property and equipment. The Division has custody and control of found or recovered stolen property.

Baltimore City's Police Department is basically well staffed, highly organized, and versed on the sophisticated methods of law enforcement. The City does not have the same problem that exists between counties and municipalities concerning the question of what level of government should be responsible for the police function. The city government, through its police department, is solely responsible for protecting its citizens.

Police services, like many other functions of government, continue to cost more each year. A new ten story headquarters building was constructed to keep pace with the increased community needs and for more effective administration of the department's activities. Generally, a

self-contained police department needs the most up-to-date supportive equipment and facilities in combating the urban crime syndrome while providing expanded services. The cost to operate the police department during FY-74 was $71,964,826, an increase of 6% over the FY-73 budget. Additional financial information is found below:

	FY-72	FY-73	FY-74 *	FY-75 **
Salaries	$56,259,939	$60,309,201	$64,878,577	$67,151,060
Operating Expenses	6,433,125	8,193,494	7,086,249	9,081,906
Total	$62,693,064	$68,502,695	$71,964,826	$76,232,966
Federal Funds included in Total	$ 387,018	$ 2,195,462	$ 2,616,098	-
Percent of Total	0.7%	3.2%	3.6%	-
State Funds included in Total	$17,640,000	$17,567,000	$17,400,000	-
Percent of Total	28.1%	25.6%	24.2%	-
Local Funds included in Total	$44,666,046	$48,740,233	$51,948,728	-
Percent of Total	71.2%	71.2%	72.2%	-

* Appropriated

** Requested

Source: City of Baltimore Police Department

POLICE FUNCTION IN PERSPECTIVE

The need for police protection continues to grow in all parts of the State. As population in different areas increases, the incidents of crime also increase. Ways to handle the demand for more police protection vary, especially at the county level. A police force at the county level is a relatively recent innovation as opposed to the municipal police force which has been in existence for many years. Time and social progress have a way of changing situations or, at least, creating an atmosphere where a review of current procedures for delivering services becomes both desirable and necessary.

Role and Responsibility - State and Local Governments

Law enforcement agencies are found at the state, county and municipal levels of government. According to the Governor's Commission on Law Enforcement and the Administration of Justice, there are 106 law enforcement agencies throughout the State that receive police protection funds from the State. The implication of this figure is that there are at least 106 plus law enforcement agencies that provide some form of police protection to citizens of the State.

At the state level, the traditional role of the State Police has been traffic control on the many miles of state highways. In practice, however, the State Police are called upon to perform a variety of tasks. Rural counties depend upon the State Police to cooperate with the limited staff of the county Sheriff in the detection, investigation, and apprehension of persons breaking the law. Some rural counties that do not

have the manpower to provide twenty-four hour a day protection depend upon the State Police contingent stationed in the area to provide police protection during those times when no one is available for or on duty from the sheriff's office.

Municipalities located in counties that do not have sophisticated law enforcement agencies also depend upon the State Police. The dependence in situations of this nature is not always in terms of patrolling or apprehending. Cooperation between the State Police and the municipal police force is for support services that are needed to carry out intensive investigations.

The five large metropolitan counties contain police forces that have been established by the county government. Generally, these county law enforcement agencies have a large number of well trained officers, utilize modern methods of detection and apprehension, carry out extensive investigations, and assist, when necessary, other law enforcement agencies. The role of the State Police in these jurisdictions is limited to traffic control and special assignments such as riot control and drug raids.

Several municipalities throughout the State provide what is considered the most efficient and effective police protection in the area. These municipal police forces may be larger, better trained, and more familiar with modern techniques of crime prevention than their counterpart at the county level. On the other hand, some municipalities operate police departments when the counties in which they are located also have established police departments. Some people argue that arrangements of this nature constitute duplication of a function. Other individuals would

argue that the municipal police department is necessary because the county police department is not capable of providing the type of protection people in an incorporated area want.

As rural counties experience continued growth and development, the question of a county law enforcement agency other than the sheriff's office receives increased attention. Sophisticated county law enforcement agencies have an impact upon both the State Police and municipal police departments. As the county develops a police department capable of handling all types of crime, as is the case in the metropolitan counties, the role of the State Police is generally in the direction of traffic control. At the same time, the role of the municipal police department, which parrells that of the county, is affected because the question of duplication of a function may surface.

Currently, state, county, and municipal governments are involved with the police function. The importance of the particular level of government's role in the police function depends upon the area of the State being discussed.

Financing the Police Function

Although the State is not immune from financial problems, the financing of the police function appears to be a serious question at the local level. The major financial burden for the police function falls

to the counties and municipalities. In 1968, under Article 15A, Sections 35-39, of the Annotated Code of Maryland, a State Aid for Police Protection Fund was established. The Fund is a continuing grant, used to reimburse municipalities and counties for a portion of the expense involved in providing adequate police protection. The fund is administered through the office of the Superintendent of State Police and the distribution is based upon population, wealth base (adjusted assessed valuation of real property and net taxable income), and budget expenditures for the police function.

Federal grants, usually administered through the Governor's Commission on Law Enforcement and the Administration of Justice, constitute another source of revenue for the police function. However, only a few local jurisdictions receive federal money (see Appendices A and B). The grant is usually for a specific program, and the money is available only for a specific period of time. Under these circumstances, federal money can not be considered a reliable or consistant source for revenue on which a jurisdiction can base its budget. Therefore, the bulk of the funds to support the police function must come from the local governments.

Because of the continuous nature of the Aid for Police Protection Fund, local governments can plan their programs with the full expectation that the state funds will be available. However, over the past few years, there has been a fluxuation in the total amount of the funds available for distribution to the local jurisdictions. With a limit on the total funds available, the amount of funds distributed to local jurisdictions has also decreased. Yearly increases in the total police budget, coupled

with fewer dollars from the State Aid For Police Protection Fund means that state funds represent a smaller and smaller percentage of a local government's police budget.

State Aid For Police Protection Fund

Total Grant Paid For:

FY-69	FY-70	FY-71	FY-72	FY-73
$21,346,172	$27,092,584	$26,410,110	$26,016,609	$25,674,558

Police Training

Chief Justice Warren E. Burger, in a recent address to local and state police administrators, pointed out that usually in our normal hierarchy of government the higher the rank the greater the discretion. However, in police work, this is not necessarily true. The policeman on the beat, or in the patrol car, makes more decisions and exercises broader discretion affecting the daily lives of people than a judge will ordinarily exercise in a week. Therefore, highly qualified and well trained police personnel appear to be a must.

The Maryland Police Training Commission, established in 1966, has been authorized to prescribe minimum standards of training at entrance, in-service, supervisory, and management levels for state, county and municipal police officers throughout the State. According to the Governor's Commission on Law Enforcement and the Administration of Justice, 108 law enforcement units in Maryland meet the definition set forth in the Act which requires units to satisfy the minimum training standards prescribed by the Commission. The authorized strength of these departments

is in excess of 8,500 officers exclusive of command.

Minimum standard curriculum for entrance level training consists of a total of 245 hours. The training afforded police officers at both the entrance and in-service levels is principally furnished through nine existing certified police training academies operated by police departments throughout the State. Coupled to all this is the fact that counties and municipalities must meet requirements set by the Maryland Police Training Commission in order to obtain financial assistance.

Within the area of training, the apparent progress is still clouded by inadequate police recruiting capability and the lack of a central or single training facility. According to a report by LEAJ, the number of applicants for police positions nationally has continuously been high, but the quality of the applicant is possibly decreasing. It was also reported that Baltimore City, large municipalities, urban counties, as well as the State, do not experience a problem with regard to the number of applicants. However, all these jurisdictions have difficulty in attracting recruits with college backgrounds.

Indications are that the small municipalities are experiencing the greatest difficulty in police recruitment. Eighty-three percent of the small municipal police departments responding to an LEAJ's police survey stated they did not have enough applicants for the available positions and the limited screening of available applicants diminished even that limited number.

Although each jurisdiction operating its own training academy will argue that it is necessary to maintain the facility, a number of individuals have questioned the need for nine separate training academies.

Although there may be variations in the type of training given an entrance level police officer, basic or recruit training of any law enforcement officer is generally similar. Because of this fact, a single academy, possibly for the training of all recruits entering any part of the criminal justice system, as well as police officers, may be the most logical course of action concerning training. A single training facility would not be as great a financial burden upon a jurisdiction as operating its own facility. Since training is a vital part of the police function, ways to improve training techniques are extremely important.

Consolidation, Contracts and Agreements

Consolidation means many things to many people. Regardless of definition, many obstacles exist to proposals for consolidation or formal cooperative agreements that include politics, economics, and pride. Local autonomy represents the most significant barrier to the coordination and consolidation of police services. So, fragmentation of police services exists. As of 1972, it was pointed out by the Governor's Commission on Law Enforcement and the Administration of Justice that Maryland had 87 police departments and sheriff's offices with under ten sworn personnel. Law enforcement agencies of such size normally are unable to provide even minimal 24-hour, seven day a week police coverage.

In Prince George's County, there are fifteen small municipal police forces within a 15 mile radius. The question that is apparent is, does an abundance of small police departments patrolling a limited area cause fragmentation, duplication of service, and dissipation of resources? Would consolidation of various police departments alleviate the situation?

Numerous small police departments do exist, but there are examples where jurisdictions are seriously looking at different ways to provide police services. Washington County is an example.

In 1972, an extensive analysis of funding and cost considerations were important parts of a plan that emphasized consolidation of police services in Washington County. At the time of the survey, approximately 32 full-time law enforcement officers were assigned within the County (excluding Hagerstown City Police and the Maryland State Police). A 1970 census figure of 66,126 persons outside the City of Hagerstown results in an average officer per 1,000 population ratio of .48. The national average for all cities was 2.0 in 1970. Including both populations and both police forces, the ratio increases to .99 officers per 1,000 population. The proposed staffing of the consolidated county police department would raise the ratio to 1.27. In addition consolidation is expected to distribute law enforcement costs more equitably among all taxpayers in all political subdivisons throughout the County.

However, even though residents of a particular jurisdiction are concerned about greater tax saving and better

services, other conditions prevail to cloud the advantages and disadvantages of consolidating police forces. Political problems will have to be faced. Local officials may not be persuaded that a number of benefits can be realized through consolidations of police services. The possibility always exists that the results of the venture may not coincide with the plans of the elected officials.

The most controversial aspects of the consolidation or coordination of law enforcement activities is in the area of field services. Arrangements of field operations can be a very sensitive process. Cooperation between law enforcement officials of the merging departments must be set in an atmosphere of good faith. It is necessary to set new standards that are equitable for all personnel. Personnel problems will encompass a wide range of work related aspects. Consideration must be given to the diversity of requirements and background of the officers.

It is expected that although initially both agencies would continue to pay the same amounts currently expended, adjustments would be made that would take into account the revised program of taxation needed to support the consolidated police department. There is much support and much opposition to this proposal. What action will be taken is unclear.

In addition to consolidation, contracts and agreements offer other methods of providing police services. Usually, if a jurisdiction is

interested in gaining police protection that is not now available or services above and beyond that which is normally offered, contracts or agreements can be worked out between two units of government.

The contractual agreement between two jurisdictions specifies the extent of service and the number of trained officers to be provided. cost of the service is also included in the agreement. Final determination of schedules as well as standards of performance, discipline of officers, and incidents related to such services are in the purview of the jurisdiction providing the service.

Agreements referred to above may be between a municipality and a county (Prince George's and Montgomery Counties have agreements with municipalities located within their boundaries) or between a county and the State (Carroll County has an agreement with the State for ten resident troopers for the county). Regardless of who or what is involved, it appears that ways can be found to offer police services where they are needed.

SUMMARY

The need for police protection is seldom, if ever, questioned. Who will provide this protection, what level of service will be provided, and how it will be paid for are areas of concern that continue to escape satisfactory resolution. At present, police protection is provided by agencies at the state, county, and municipal levels. Depending upon the location within the State, the role of the three levels of government in performing police activities varies significantly.

The State provides input into the law enforcement activity in three important ways. First, the State Police provide a wide range of services throughout the State. The major focus of the State Police over the years has been traffic control. Except for Baltimore City, traffic control is still a major activity, especially in the large urban counties that have established their own police force and have the capability to handle most types of crime including the investigation work. In more rural jurisdictions the State Police perform most investigations and cooperate with the local sheriff's office or municipal police department in detection and apprehension activities. In addition, to this variety of services, the State Police have the advantage of not being limited to operating within the confines of a single county, but can cross county boundaries whenever necessary.

Second, the Police Training Commission has accomplished much in

terms of improving the caliber of police officers throughout the State. Establishment of state-wide minimum standards applicable to county and municipal law enforcement agencies has done much to improve the type of services that the various police departments are able to render. Finally, funds distributed to the law enforcement agencies throughout the State, either by LEAJ or through the State Aid for Police Protection Grant Programs, have been responsible for innovative programs and updating of equipment. However, as the cost of police services has risen, the funds granted to local law enforcement agencies has decreased. The question of how to finance police activities at all levels still remains.

As previously indicated, police services at the county level are provided in a number of ways. The larger more urban counties have moved in the direction of establishing large police departments that have well trained personnel and utilize modern methods and procedures in their efforts to combat crime. At the same time, other counties have expanded the sheriff's office in order to provide the manpower needed to perform police services. Rural counties still generally rely on a combination of the sheriff's office along with Maryland State Police to provide police services to the residents of the county.

Size and sophistication of municipal police departments vary widely. In some sections of the State, the municipal police force is the major law enforcement agency in that area. The department, in these situations, generally has well trained personnel and utilizes many modern techniques for fighting crime. On the other hand, many municipalities have few police officers and the department is not able to provide twenty-

four hour a day protection. In these situations, the question of consolidation of police forces may arise.

Determination of the role that each level of government is to play with regard to the police function is an important question. It is not unreasonable to assume that many jurisdictions are unsure of their proper role in carrying out police services. State officials are presently involved in a study through which they hope to determine what the role of the State Police should be in providing police services. To the average citizen, concern is not necessarily directed toward who is protecting him, but rather how well is he being protected.

The question of the size of the enforcement agency is referred to on many occasions. Arguments in support of or opposed to small law enforcement agencies have been presented. Although it is difficult to measure, the level of service rendered is a point of argument. In reality, the major point associated with level of service may be centered on does the jurisdiction in question have sufficient manpower trained in police methods to protect the citizens on a twenty-four hour a day basis.

In dealing with a function such as police protection, a number of questions have arisen and can provide a point of departure for discussion of this activity.

1) What should the role of the State, the county, and the municipality be with regard to police?
2) What should the role of the different levels of government be with regard to training?
3) Should police training be centralized? What would the

advantages be?

4) Should there be legally binding minimum standards for police officials and sizes of police departments?

5) Would consolidated police forces at the local level have the advantage of providing better police protection for residents of jurisdictions?

6) Should contractual agreements be utilized as a method of providing greater cooperation between governmental units and increasing efficiency of police operations?

7) Could more systematic cooperation between police agencies and other governmental agencies have a beneficial effect upon the police function?

8) Is the funding of police activities a problem? If so, what changes should be made in the method of financing police activities?

APPENDIX A

FEDERAL FUNDS

LEAJ GRANTS TO SUBDIVISIONS

FY-71-73

COUNTY	1971	1972	1973
Anne Arundel	(2) 5,800	(3) 194,808	(1) 91,807
Calvert	(1) 17,415	(1) 720	0
Charles	(1) 9,000	(1) 183	(1) 15,000
Cecil	0	(1) 14,625	0
Harford	(1) 4,178	0	0
Montgomery	(5) 80,807	(3) 140,500	(4) 564,143
Prince George's	537,591	331,985	697,065
St. Mary's	0	(1) 4,870	0
Washington	(1) 14,200	0	0
Wicomico	0	0	0
Worcester	0	0	0

( ) means number of grants

APPENDIX B

FEDERAL FUNDS

LEAJ GRANTS TO SUBDIVISIONS

FY-71-73

Municipality		1971		1972		1973
Bowie		0		67,198		79,965
Elkton		0	(1)	8,069		0
Frederick	(1)	9,554	(1)	17,029	(2)	15,000
Hagerstown	(2)	7,761	(1)	800	(1)	2,850
Laurel		800		0		2,781
Ocean City	(1)	3,292	(2)	15,200	(2)	59,506
Salisbury	(1)	2,981	(1)	2,000	(1)	47,015
Takoma Park	(2)	3,100	(2)	24,754	(1)	21,388

( ) means number of grants

PART

5

PLANNING AND DEVELOPMENT

I Planning
II Substate Districting
III Economic Development
IV Community Development
V Transportation
VI Parks and Recreation
VII Agriculture

REPORT of the MARYLAND COMMISSION on the FUNCTIONS of GOVERNMENT

July, 1975

The report consists of five parts including the Summary

PART V

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SUMMARY

OF

RECOMMENDATIONS

PART V

Planning and Development Recommendations

I. Planning Recommendations

1. *The Department of State Planning (DSP) should base its planning efforts, to the maximum extent practical, on the plans and research of other state and local governmental agencies and avoid planning independently of these agencies.*
2. *The Department of State Planning should be responsible for advising state and local governmental agencies of the overall statewide effect of their plans.*
3. *Where needed, the Department of State Planning should assign more representatives from its existing headquarter's staff to the DSP regional field offices to assist and work with local planning officials on a regular basis.*
4. *All recommendations concerning any part of the State Capital Improvement Plan should be submitted to the Governor by the Secretary of the Department of State Planning only after submission to the appropriate state, regional, and local government agencies for comment.*
5. *Except for issues with a multi-jurisdictional impact, local governments should continue to have final planning authority over matters arising within their jurisdictions. Where there is effective regional planning, then the regional planning agency should have final authority in multi-jurisdictional matters. Where the impact goes beyond the regional scope, the State should intervene and settle all such planning matters.*
6. *Sparsely populated municipalities should be encouraged to consolidate their planning efforts with those of their county, or contract with their county for technical planning assistance.*
7. *The Commission recommends that the General Assembly provide for committee jurisdictional arrangements whereby the state planning function is explicitly assigned to an existing committee in each house, or a newly created committee or subcommittee. Such committees should have responsibility for reviewing and proposing changes in statewide comprehensive plans proposed for adoption by the state planning agency and for exercising legislative oversight with regard to the relationships among state, regional, county, and municipal agencies.*

II. Substate Districting Recommendations

1. *Where feasible and with regard for topographical or other features, state agencies should be encouraged to utilize common administrative substate districting systems and common regional headquarters. The Department of State Planning should assume a leadership role in implementing this proposal to minimize deviation and work towards maximum commonality.*
2. *Regional agencies should be encouraged to participate to the maximum extent possible in the A-95 Clearinghouse review of grant requests. The Department of State Planning should assume a leadership role in encouraging this participation.*
3. *Existing regional agencies or those that are created to operate within multi-county districts should be designated as A-95 Clearinghouses.*
4. *Municipal governments, and where appropriate, counties should be encouraged, insofar as it is practical, to jointly provide services with adjoining governments.*

III. Economic Development Recommendation

1. *Economic Development should remain a joint parallel function. Within their jurisdictions, local governments should have primary responsibility for economic development. Special economic development projects that have a multi-jurisdictional and/or a statewide impact should be designated a joint state-local responsibility with local governments' control over such projects being limited.*

V. Transportation Recommendations

1. *The planning, and in certain cases, the operational aspects of highway and road construction and renovation, mass transit, and aviation should have strong and active cooperative and coordinated participation by all levels of government.*
2. *The Five-Year Needs Plan and Twenty-Year Needs Study should become a separate section of a statewide comprehensive transportation plan that encompasses all modes of transportation and types of transit systems. Such a plan should be compiled and annually updated by the State Department of Transportation in cooperation with local government and all other affected state agencies.*
3. *The Department of Transportation should coordinate transportation planning with the plans of other affected state agencies to identify where transportation planning interfaces, complements, or conflicts with other state agency plans. The Department of Transportation should work with other affected state agencies to reconcile areas of inconsistencies and conflicts.*
4. *Counties, especially non-urban counties, should consider the relative cost/benefits of discontinuing their road departments (which require large administrative costs and capital investments) and of contracting with the State Highway Administration for services, as six counties currently do.*

VI. Parks and Recreation Recommendation

1. *The Department of Natural Resources through its Parks and Recreation programs should assist all counties and municipalities in developing recreational programs.*

I. The Function of Planning[1]

Planning as a governmental operation is considered to be a joint parallel function with state, county, and municipal government involvement. Regional forums involving participation of different combinations of state and local governments have been organized to effectuate the planning process. Although the planners at the state and local governmental levels interact and their plans interface, each level of government maintains relatively independent control over the funding, policymaking and administration of its planning operations. The primary exceptions to overall state and local governmental independence regarding planning are: the State's distribution of Federal 701 Planning Funds[2] to local subdivisions, varying degrees of state technical assistance to localities, and limited state regulation of local planning.

In contrast to state and local planning, regional planning is a joint merged operation. Control is merged because state and local governments combine to fund and actively participate in the policymaking of regional planning agencies.

At the state level, the Department of State Planning (DSP) is responsible for developing a State Development Plan, preparing the State Capital Improvement Plan, providing technical assistance to other state and local agencies, functioning as a clearinghouse to coordinate the review of state and local requests for federal grants, coordinating state and local plans, serving as the central planning agency in the State, distributing Federal 701 Planning Funds, and developing a data repository.

County and municipal planning operations vary in size, scope, and sophistication. Most local governments are actively involved in physical and land-use planning within their jurisdictions. Local planning responsibilities include formulating local comprehensive plans, developing local zoning ordinances and subdivision regulations, and in some cases preparing local capital improvement plans and coordinating the planning efforts of other local agencies.

At the regional level, there is little uniformity in composition or responsibility, among the agencies involved in planning. While some regional agencies confine their efforts to planning with little or no implementation, a regional body such as the Washington Suburban Sanitary Commission, is able to operationalize its plans. Some regional bodies are single purpose agencies; other regional arrangements such as the Washington Council of Governments are more comprehensive in scope. Finally, some are vigorously supported by the constituent member governments, while others do not receive this type of support.

In examining the current situation regarding Planning, the Commission finds the prevailing view of state and local agencies toward the Department of State Planning to be one of suspicion, and lack of confidence. Intergovernmental cooperation is absolutely essential to the planning function, since agency plans interrelate and affect the operation of other agencies, and other units of government. Excessive independence impedes intergovernmental cooperation, and is obstructive to smooth interagency relations. Without meaningful day-to-day cooperation between all governmental agencies and units of governments, broad range planning is futile.

Planning—real planning—is a most essential activity at every level of government. When local officials recognize their responsibilities, and develop adequate programs that provide for desired and needed growth as well as protection of resources, we have the basic ingredients of good planning. When state officials counsel and advise local governments and give them the benefit of their expertise and greater resources, it is of no use if the local people view all this with deep suspicion and misgiving. State planning officials must instill confidence by actions that are meaningful and productive for all parties concerned.

To bring about the kind of relationship between the various groups that is needed to effectuate a dynamic, cooperative, and integrated planning process is not easy. What is needed, however, to even take a first step is understanding and trust.

To improve intergovernmental relations in the area of Planning, and alleviate confusion and uncertainty concerning the extent of state and local planning authority, the Commission recommends that the planning roles of state and local governments should be clarified, and to some degree redirected. In doing so, the Commission urges that each level of government be included in all phases of the total planning process. To accomplish this, the Commission makes the following recommendations.

Recommendations

1. *The Department of State Planning (DSP) should base its planning efforts, to the maximum extent practical, on the plans and research of other state and local agencies, and avoid planning independently of other agencies.*

Planning should be an accumulative process which begins with local planning as well as state functional planning[1] and culminates with the Department of State Planning. The state plan should be a composite of state functional and local governmental plans, not a separate and distinct process—wholly apart from the input of local governments and state operating agencies.

In defining the responsibilities of the Department of State Planning, the Commission endorses the Department's role as an agency which coordinates and harmonizes the planning efforts of other agencies. The Commission proposes that the principal responsibility of DSP should be to integrate the various plans which are developed by other state functional and local planning agencies into coherent, and consistent statewide plans.

[1] For a detailed analysis of Planning, see the Informational Report on Planning included as Appendix C.

[2] These planning funds were provided through the Housing Act of 1954, 68 STAT. 590 (1954), 40 U.S. C. 461 (1965).

[1] State functional plans refer to the plans developed by the operating agencies at the state level that deal with a single function of government such as Health, Transportation, etc.

To satisfactorily perform this sensitive task of coordination, the Department of State Planning should seek maximum state and local input into the statewide planning process. This recommendation would require the Department of State Planning to weigh heavily the recommendations of local governments in such activities as making critical area designations. It would also insure that the future State Development Plans incorporate the goals and objectives found in plans of state functional and local planning agencies.

The Commission in no way implies that the Department of State Planning should not engage in planning activities of its own. What is explicit, however, is that planning activities by DSP should be undertaken only when local governmental and state agency plans are not available or when this activity is used to develop material necessary for the eventual consolidation of available plans into a statewide plan. Any planning activity by DSP should be done in concert with state and local governmental agencies to avoid the possibility of any duplication or conflict.

It should be noted that the above recommendation reinforces what appears to be the current mandate to DSP found in Article 88C of the *Annotated Code of Maryland.* The law reads, "The Department of State Planning shall function as an advisory, consultative, and coordination agency. . . (1) harmonizing its planning activities with the planning activities of departments, agencies, or instrumentalities of state or local government. . . (2) coordinating the plans and programs of all state departments, agencies, and instrumentalities."

However, the present law, Article 88C of the *Annotated Code of Maryland,* while seeming to be specific in some sections is often contradictory and ambiguous. The intent of the legislation is confusing and subject to various interpretations. This confusion over what the role of DSP actually is with regard to other state agencies and other units of government has contributed substantially to the present and continuing conflict between many agencies and governments concerning planning. The Commission therefore recommends that Article 88C of the *Annotated Code of Maryland* be re-enacted and redrawn in order to clarify the role of the various governments in the planning function.

2. *The Department of State Planning should be responsible for advising state and local agencies of the overall statewide effect of their plans.*

As part of the regular responsibilities of the state planning coordinator, the Department of State Planning should counsel other state and local agencies of the overall impact of their functional plans, and work with them in reconciling inconsistencies with other existing plans. To prevent agencies from planning in isolation, the Department of State Planning should advise agencies of where their plans interface, complement, or conflict with other plans. For example, the Department of State Planning should assist the Department of Transportation and the Department of Economic and Community Development in assessing the overall effect of the various transportation and economic plans.

3. *Where needed, the Department of State Planning should assign more representatives from its existing headquarter's staff to the DSP regional field offices to assist and work with local planning officials on a regular basis.*

Relations between the Department of State Planning and local governments can be improved and strengthened by encouraging and maintaining closer working relationships between the two levels of governments. Currently, the Department of State Planning has regional field representatives throughout the State who provide a direct link between the Department and local planners. By working in the local jurisdictions on a day-to-day basis, these Department of State Planning representatives could facilitate continuous communication between the department and localities, improve the coordination of state-local planning, and offer state technical assistance to localities.

Generally, the regional field representatives have proven to be beneficial to both the Department of State Planning and local jurisdictions. However, the role of the field representative varies from region to region. In areas of the State where local planning capabilities are limited, the Department of State Planning field worker provides valuable technical assistance and advice. In other areas, the primary responsibility of the DSP representative is to prevent local planners from mistakenly planning in total isolation without regard for the rest of the State.

Because of the demonstrated value of the existing Department of State Planning field offices, the Commission recommends additional support for these offices. To enable these regional DSP offices to provide maximum service to the Department of State Planning and their assigned regional areas, adequate support staff and professional staff should be supplied to these offices. These additional regional representatives should be obtained from the present staff of the Department of State Planning.

4. *All recommendations concerning any part of the State Capital Improvement Plan should be submitted to the Governor by the Secretary of the Department of State Planning only after submission to the appropriate state, regional, and local government agencies for comment.*

The Commission makes the above recommendation to insure maximum participation and input in the development of the state Capital Improvement Plan from those agencies that will have continuing responsibility for the facilities and programs operated therefrom. Although one agency must receive agency requests for capital improvements and organize them into an initial capital improvement plan, the Commission proposes that several agencies should be included in the formulation of a final plan. Numerous agencies are directly affected by the plan, therefore, numerous agencies should be given the opportunity to review and comment on the proposed plan. Under this procedure, it is likely that a more realistic view of the opera-

tional as well as the capital costs associated with any facility would be developed.

Currently, the Department of State Planning holds hearings on proposed capital programs that allow varying outside views to be expressed. But in the all important decision making and recommending stages, comments, suggestions, and general input from other agencies which must be concerned about the future effects of the capital program are not generally sought. To provide greater opportunity for comment, the Commission recommends that the Department of State Planning circulate the proposed Capital Improvement Plan to appropriate state, regional, and local governmental agencies for comment before submission to the Governor. In this way, Capital Improvement Planning would become a more open and meaningful process.

5. *Except for issues of a multi-jurisdictional impact, local governments should continue to have final planning authority over matters arising within their jurisdiction. Where there is effective regional planning, then the regional planning agency should have final authority in multi-jurisdictional matters. Where the impact goes beyond the regional scope, the State should intervene and settle all planning matters.*

Local planners repeatedly expressed concern over what they regard as the tendency of the Department of State Planning to become increasingly involved in local planning. The Commission encourages state assistance to local governments and increased state-local interaction in the area of planning. However, increased state regulation and control over local planning matters should occur only as a last resort.

Planning should be rooted at the local level and progress upwards. Local governments should be allowed to shape the future of their communities in so far as local plans and planning regulations do not jeopardize the future of the State. Specifically, local governments should continue to have final authority over such matters as zoning, subdivision regulations, sign control, and critical area designations within their jurisdictions. In the interest of better cooperation and communication, local governments should participate in and comment on the site location of state facilities.

The Commission, however, recognizes that instances arise where regional or statewide interests must supersede local decisions. No citizen or local government can be expected to be elated by the prospect of having a waste treatment plant, a detention facility, or other such facility located in the community. Nevertheless, the State has certain obligations to all its citizens and these obligations must be fulfilled. Similarly, viable, developed regional agencies have a responsibility to plan for the betterment of their total region.

It is the intent of this recommendation to preserve the local prerogative in most local planning matters but also recognize the authority of regional agencies and the State in matters having a regional or statewide impact.

6. *Municipalities with small populations should be encouraged to consolidate their planning efforts with those of their county, or contract with their county for technical planning assistance.*

The above recommendation is designed to reduce planning fragmentation, improve municipal-county coordination, and discourage part-time, limited staffed, independent municipal planning operations.

Currently, there are approximately 82 municipalities which support municipal planning operations. While some municipalities are well staffed and involved with sophisticated endeavors, most of these subdivisions have a limited planning capability.

To encourage consistent complementary county-municipal planning, the Commission recommends that municipal planning commissions, whenever possible, contract with the county for technical planning assistance in lieu of hiring outside consultants. This is currently practiced in a county such as Frederick County.

Municipalities should also consider consolidating with their county planning operation. Recently, Wicomico County and Salisbury established a joint planning arrangement which is responsible for planning in the City and the County. The Commission suggested that this arrangement might serve as an example to other counties containing one or two municipalities. The advantage would be that county and municipal planning would no longer conflict as is often the case when planning occurs separately. This type of arrangement also offers the opportunity to local government to deal with the State in a much more unified manner.

7. *The Commission recommends that the General Assembly provide for committee jurisdictional arrangements whereby the state planning function is explicitly assigned to an existing committee in each house, or a newly created committee or subcommittee. Such committees should have responsibility for reviewing and proposing changes in statewide comprehensive plans proposed for adoption by the state planning agency and for exercising legislative oversight with regard to the relationships among state, regional, county, and municipal agencies.*

If it is to be an effective instrument of state policy regarding growth and development, and if the products of the process are to be of real utility to state and local officials and the public, the state planning agency and its activities must be tied into the policy formulating process on both the executive and legislative sides. If this is not done, planning activities are likely to be exercises in futility, dealing with tangential rather than central aspects of growth and development, and producing materials of primary interest to planners and academicians.

Planning for growth and development involves substantial participation by political decision-makers in at least four stages: (1) formulation of objectives; (2) establishment of planning assumptions; (3) decision among alternate choices cast up by the planning process; and (4) general oversight as to the manner in which legally adopted plans are implemented. The legislature is inescapably involved at each of these points if the plans are to have substance and durability.

In Maryland, as in a number of other states, the planning function has tended to be conducted in a stratospheric environment rather insulated from gubernatorial and legislative policy, and the legislature has had but limited contact with it other than to vote appropriations for the support of the planning agency. If state planning is to be brought into a meaningful role in overall state policy, the legislature needs to assert an interest.

The Commission is not suggesting that all state plans and amendments thereto become statutory; quite the contrary. But the enactment of general objectives, concurrence with or modification of basic assumptions, and the assertion of major choices in growth and development are of legislative as well as executive concern. Implementation of plans should be exclusively an executive function, subject only to broad oversight that the legislature exercises over all activities of the state government.

II. Substate Districting[1]

Substate Districting as a vehicle for intergovernmental cooperation and administration has not achieved widespread understanding or acceptance. For our purposes, a substate regional arrangement will be defined as the joining of jurisdictions or portions of jurisdictions into administrative spheres within which certain specified powers of government are exercised. Within this context, it should be noted that the State has the legal authority to make such substate regional changes or innovations as it may decide are necessary.

There is no uniform substate districting system in Maryland. Rather, the State is divided into various overlapping substate districts with different organizational arrangements, membership compositions, and funding formulas. State agencies define their own substate administrative districts, and often these districts differ from those used by local governments.

The district operating agencies have various responsibilities. Some district agencies have a single purpose, while others assume broad responsibilities in numerous areas. In some cases, membership in the district agency is compulsory, while in others membership is voluntary. Some regional agencies have state and local government participation while others are strictly for state or local agencies.

Various factors including economy of scale and the need for a multi-jurisdictional approach to areawide problems and concerns have stimulated the formation of regional agencies. Added support has been given to this process by federal legislation. A number of federal programs either require, encourage, or recognize the use of areawide multi-jurisdictional agencies and districts to administer programs. Direct planning and administrative support funds are available for the general operation of such agencies. A number of federal grant programs either require that functional or comprehensive areawide plans be prepared or that assisted projects conform to existing plans.

[1] Substate Districting is used interchangeably with Regionalism. For a more detailed analysis of the existing situation in the function of Substate Districting, see the Informational Report on Regionalism included as Appendix D.

The Commission makes the following recommendations regarding Substate Districting.

Recommendations

1. *Where feasible and with regard for topographical or other limiting features, state agencies should be encouraged to utilize common administrative substate districting systems and common regional headquarters. The Department of State Planning should assume a leadership role in implementing this proposal to minimize deviation and work toward maximum commonality.*

An examination of state mandated planning and functional regions raises a question: Are the existing regions both logical and workable? If one set of regions is logical in make-up, should all other functional regions conform to it as much as possible? In addition to the seven regions used by the Department of State Planning, the Department of Health and Mental Hygiene utilizes a six-district plan, the Department of Natural Resources utilizes a four-district plan, and the Development Credit Corporation utilizes a five-region plan. Regional headquarters for the various state agencies show the same lack of uniformity. This does not appear to be the best method of serving the citizens of the State.

A rationalization of state administrative districts would require strong leadership from the Department of State Planning in establishing such a system. There is a recognition also of the need for voluntary cooperation among the state agencies in establishing such a plan. At the same time, because of a number of unique features, certain types of districts utilized by administrative agencies may not be able to conform to such a plan.

The Commission, on the other hand, does not recommend the imposition of an official substate districting plan by the State. Regional and substate districting systems should be developed by local communities rather than from above; they should evolve from a cooperative effort of all parties involved.

An officially mandated uniform substate districting plan requires a strong well-led state planning agency which has the confidence of local governments. The regions designed by the Department of State Planning are not universally agreed upon, with the possible exception of Western Maryland (Garrett, Allegany, and Washington Counties).

The following examples are cited to illustrate the uncertainties connected with the Department of State Planning's current substate districting system.

a) Charles County has acted as part of the "Southern Maryland Region" (together with Calvert and St. Mary's Counties). The United States Census Bureau has now officially designated Charles County as part of the Washington Standard Metropolitan Statistical Area, which means that in the future for planning and A-95[1] review purposes, it will be participating in the Washington Council of Governments.

[1] See pages 13 and 14 of the Informational Report on Planning found in Appendix C for an explanation of the A-95 review process.

b) Should Maryland's Eastern Shore be a single region or two separate regions?

c) What should be done with Cecil County which has been designated by the United States Census Bureau as part of the Wilmington Standard Metropolitan Statistical Area?

d) Frederick County is currently considered by the Department of State Planning to exist by itself as a region. Will this hold true as suburban growth continues out from the Washington Standard Metropolitan Statistical Area? Will its interests be those of the Western Maryland counties?

e) The City of Baltimore is grouped with the surrounding counties into the Baltimore Standard Metropolitan Statistical Area, yet there is not complete commonality of interest between the City and the Counties, or for that matter, portions of the same county.

Although there may be obstacles to developing a single uniform regional or substate districting system, the Department of State Planning should actively encourage jurisdictions to utilize the same districts, in so far as this is possible.

2. *Regional agencies should be encouraged to participate to the maximum extent possible in the A-95 Clearinghouse review of grant requests. The Department of State Planning should assume a leadership role in encouraging this participation.*

3. *Existing regional agencies or those that are created to operate within multi-county districts should be designated as A-95 Clearinghouses.*

The Commission wishes to support and to encourage the role of regional or multi-county agencies for the purpose of meeting A-95 review requirements. Circular No. A-95 issued by the U.S. Bureau of the Budget (new Office of Management and Budget) requires designated A-95 Clearinghouses to circulate, for review and comment, certain state and local applications for federal grants to the state and local agencies that might be affected by the proposal under funding consideration. Thus, the review process enables interested parties to evaluate federal grant requests before federal funds are awarded.

Currently in Maryland, there are three designated A-95 Clearinghouses: the Department of State Planning, and two regional agencies—the Baltimore Regional Planning Council and the Washington Metropolitan Council of Governments. Other regional agencies in the non-metropolitan areas of the State are not designated A-95 Clearinghouses.

The Commission recommends that in all sections of the State regional agencies should assume a greater role in the A-95 review process. While the Department of State Planning continues to coordinate the review process at the state level, regional agencies should simultaneously circulate the applications to affected local and regional agencies. In this way it is hoped that the review process might be improved. Since regional agencies are more familiar with local government and local affairs, they are better able to judge who should be included in the review of each grant request. This would also act to facilitate citizen input into the review process, since regional agencies are more accessible to citizens than is the Department of State Planning.

4. *Municipal governments, and where appropriate, counties should be encouraged, in so far as it is practical, to jointly provide services with adjoining governments.*

An alternative to each county or municipality individually providing services to its citizenry is to have two or more contiguous jurisdictions combine their resources and offer areawide services. These multi-jurisdictional cooperative arrangements, including small or medium sized jurisdictions, would in many instances reduce capital costs, overhead and operating expenses, and eliminate unnecessary duplications. Counties, municipalities, or a combination of county and municipal governments might be able to provide a level of service that each jurisdiction would be unable to sustain by itself.

In order to provide government services to the citizens in the most efficient and economical manner possible, it is important that local governments consider the merits of undertaking multi-jurisdictional operations in their areas. The initiation and successful management of such operations would depend on the cooperation of each participating unit of government.

III. The Function of Economic Development[1]

Economic Development is classified as a joint parallel function with state, county, and regional involvement. Although the state and local governments interact in this area, each level of government generally funds, administers, and determines policy for its own economic development programs. Only regional economic development agencies such as Delmarva and Tri-County Council of Western Maryland are the combined financial and administrative responsibility of the state and local governments.

To optimize Maryland's economic potential, the state and local governments must attempt to develop and make available the resources and facilities necessary for the particular type of economic development sought. For example, to preserve and expand the seafood industry, officials from the Department of Economic and Community Development recommend the following measures: train necessary personnel; establish a seafood research center; expand "seeding" operations; subsidize the grouping operations into cooperatives; rationalize numerous health laws affecting the industry; strictly enforce pollution laws; and protect areas of the bay for the procreation of seafood.

Clearly, Economic Development responsibilities are not limited to negotiating with companies to locate new industry. A list of State economic development goals recently compiled by the Office of Development Planning within the Department of Economic and Community Development illustrates the breadth of economic development concerns in the State. The list includes: improving transportation, insuring adequate housing,

[1] For a detailed description of Economic Development, use the Informational Report on Economic Development included as Appendix E.

improving the quality of the labor force, as well as promoting tourism, preserving and expanding Maryland's agriculture and seafood industry, and supporting commercial development and improving Maryland's manufacturing competitiveness.

In an effort to promote tourism, and preserve and create job and income opportunities in the State, the Department of Economic and Community Development provides advisory and research assistance to local governments and private industry. More specifically, the Department guarantees mortgages for private business in the State, makes loans to political subdivisions to finance the acquisition of land for industrial sites, serves as an ombudsman for Maryland businesses, encourages increased exportation of Maryland products, and assists localities in attracting new industry. In addition, the Department is currently compiling a statewide economic development plan which should better enable the State to establish a policy of balanced, orderly economic growth.

At the local level, the counties and Baltimore City are involved in locating new industry, retaining existing industry, promoting tourism, and developing county economic plans. Although some form of economic development office exists within most counties, many have no professional staff, and thus, a limited capability.

Regional agencies assume a multi-county perspective, and serve to coordinate economic development programs and plans on a regional basis. However, some of the regional bodies are not as active with regard to economic development as other regional agencies.

Generally, the Commission feels that the Department of Economic Development is doing an admirable job of assisting and coordinating Economic Development at the local level. After reviewing the existing situation, the Commission makes the following recommendation and suggestion.

Recommendations

1. *Economic Development should remain a joint parallel function. Within their jurisdictions, local governments should have primary responsibility for economic development. Special economic development projects that have a multi-jurisdictional and/or a statewide impact should be designated a joint state-local responsibility with local governments' control over such projects being limited.*

Since local governments are more attuned to the special needs and wants of the citizenry, local governments should continue to direct economic development within their jurisdictions. In addition to regulating economic development by means of zoning and subdivision regulations, local governments should actively recruit new industry, and seek to retain and expand existing industry including agriculture and tourism. The Department of Economic and Community Development's chief responsibility should remain that of assisting and coordinating these local efforts.

This state-local arrangement should be the usual delineation of responsibility regarding Economic Development. However, when an economic development project clearly has a multi-jurisdictional impact, the State's interests should prevail over the parochial interests. The General Assembly recently acknowledged the paramount state and national need for fuel facilities when it enacted the 1975 Coastal Facilities Review Act. This legislation establishes a procedure for state and local participation in the decision to locate fuel facilities along the Maryland coastal lands and waterways.

Although fuel facilities are clearly essential to the State and the nation, other industrial projects are equally of areawide benefits and concern. Therefore, the Commission proposes the extension of state government's participation in the development of other industrial facilities which have a potential state or multi-jurisdictional impact. While local governments should be included in the decision making process regarding the approval of such projects, local governments should not exercise a final veto.

Commission Suggestion

The Commission suggests that the Department of Economic and Community Development should aggressively pursue the stated goal of preserving Maryland's farms and increasing their competitiveness. Currently agriculture is a major Maryland industry which constitutes approximately 14% of the Gross State Product. Over eight percent of the State's manufacturing working force is employed in the $2 billion food processing industry. Nearly 200,000 Marylanders' receive wages of $2.3 billion from agriculture and agri-business.[1]

However, projected trends for Maryland indicate that the agricultural industry is in jeopardy. From 1945 to 1969, there was a marked decrease in the percentage of the State's land in farms (from 67% to 44%). Estimates are that by the year 2000 only 19.67% of the state's area will be in farms.[2]

With the increasing risks and costs of maintaining a farm, and the inflating sales value of farmland as developed areas seek additional expansion, farmers will be increasingly tempted to sell their land to developers. To help curb this trend and preserve existing agricultural lands, the Commission proposes that the Department of Economic and Community Development jointly work with the Department of Agriculture to maintain agriculture as a major industry, with the ultimate objective being to establish a balanced diversified state economy.

IV. The Function of Community Development[3]

Community Development is considered to be a joint parallel state-local governmental function. At the state level, responsibility for community development programs is centered in the

[1] Final Report of the Committee on the Preservation of Agricultural Land. (August 12, 1974).

[2] Final Report of the Committee on the Preservation of Agricultural Land. (August 12, 1974).

[3] For a detailed analysis of Community Development, see the Informational Report on Community Development included as Appendix F.

Community Development Administration within the Department of Economic and Community Development. At the local level, most jurisdictions have yet to fully adopt a broad community development approach, and establish a comprehensive community development agency or office.

To date, there is no single definition of Community Development, and no clear determination of the scope of this function. Narrowly defined, Community Development is equated with housing—with providing low income housing and related services such as financial assistance, mortgage counseling, welfare information, etc.

Local housing authorities which carry out those housing activities have their roots in the United States Housing Act of 1937. This legislation set forth the federal policy for providing safe, decent and sanitary housing to low-income families with an emphasis on local control and responsibility. Federal and local monies implement the programs and provide the subsidies necessary for operating low-income housing programs. In Maryland, approximately eighteen municipalities, and eight counties have federally-locally supported housing authorities.

Aside from housing, local jurisdictions may be involved in building code enforcement, urban renewal, water and sewer facility construction, and open space programs. Although these activities can be classified as community development problems since they have a decided impact on the development of a community, usually these programs are the responsibility of a local office of planning or public works not a separate community development staff. In fact, generally these activities are not identified by local governments as community development programs.

A broad conception of community development has been adopted by the Department of Economic and Community Development and a few local jurisdictions. Community Development, as defined by the Department of Economic and Community Development, is a "sustained process of creating and preserving opportunities for improved social and physical living conditions within the context of local and state goals." According to this definition, the need for adequate housing for all is an essential ingredient when formulating community development policy. However, the mere construction of low and moderate income housing is most likely not sufficient enough criterion in itself to warrant the label of community development.

According to an official of the Department of Economic and Community Development, this more comprehensive view of community development is an outgrowth of the 1960-1970 federal categorical grant programs which attempted to improve specific living conditions in urban areas. These grants were earmarked for an array of community development programs including urban renewal, model cities, open space, neighborhood facilities, public facilities loans, water and sewer facilities, and historical preservation.

Using housing as a nucleus, the definition of community development was expanded in certain jurisdictions in the later 1960's. In 1968 Baltimore City established a comprehensive Department of Housing and Community Development which is responsible for: assuring adequate housing, preserving and improving neighborhoods, and achieving satisfactory growth and development in the City. The Housing Authority is merely one aspect of the department.

Montgomery and Prince George's counties are the only two counties which have also accepted a more comprehensive community development approach. In the late 1960's, each county established a department to augment the services provided by their local housing authorities, and coordinate community development programs.

In attempting to improve the overall quality of life and develop sound community development, the Department of Economic and Community Development is involved in a variety of activities. It is responsible for home financing (guaranteeing mortgage loans and offering mortgages to families), building code administration, and liaison with local housing authorities.

In addition to its housing activities, the department is responsible for conducting research, assisting localities in identifying local community development priorities and obtaining special funding for community development projects. The Community Development Administration also encourages communities to establish the technical capability to implement needed community development that is reflected in comprehensive planning.

Also located within the Department are several quasi-independent commissions which were established to encourage historical and cultural preservation. These included: the Maryland Historical Trust, the Maryland Arts Council, The St. Mary's City Commission, The Maryland Bicentennial Commission, and the Maryland Commission of Afro-American and Indian History and Culture.

In its examination of the function of Community Development, the Commission has found that there appears to exist an intergovernmental problem in deciding how to deal effectively with community problems, and in turn, to promote acceptable community development. A large part of this intergovernmental problem evolves from the difficulty of arriving at a common definition of community development; and from the difference of opinions concerning what functions and programs should be included within any community development agency.

Is community development to be restricted to housing, especially low and moderate income housing, or is community development to be expanded to encompass aspects of most other government functions including transportation, land-use planning, economic development, recreation, etc? Can and should clear cut boundaries be established which separate community development and other functional areas so as to provide services which are necessary, while avoiding duplication?

If the more comprehensive view of community development is accepted, the Department of Economic and Community Development and its local counterparts must avoid duplicating the work of other established agencies. In particular, these agencies must try to avert competition between other coordinating

agencies such as the Department of State Planning and itself. If the narrow conception of community development is accepted the term community development should be specifically defined and clearly understood.

Contributing to the current state of confusion within the function of Community Development is the recent change in federal support for community development programs. The newly enacted Housing and Community Development Act of 1974 will phase out categorical grants for specific community development programs and replace them with federal bloc grants principally in urban areas for the benefit of low and moderate income persons. This funding change is expected to have important ramifications for future community development programs at the state and local governmental levels.

According to a Department of Economic and Community Development official, bloc grants will enable the state and local governments to adopt a more comprehensive approach to community development. Instead of perpetuating a piecemeal approach to community development, the new legislation will eventually require local governments to submit comprehensive community development plans before receiving federal assistance. The bloc grant approach will enable communities to identify their community development priorities according to their needs, instead of according to federal funding priorities.

The current change and development in the area of Community Development deters the Commission from making specific recommendations at this time. When a common definition of community development is accepted, the distinct roles of the various governmental levels in providing community development services can be readily established. At that time the following are possible questions which might be addressed. Should the flexibility of local governments be restricted in establishing building code regulations? To what extent should state and local governments engage in land banking? What should the state and local governments' role be in establishing or promoting new communities such as Columbia?

Until answers to the above are obtained, the Commission suggests that the Department of Economic and Community Development should aggressively provide assistance to local governments in fostering and furthering development programs, and coordinate sound community development services including employment opportunities, education, transportation, police protection, housing, land usage and other related services.

V. The Functions of Transportation[1]

A joint parallel designation characterizes many functions of Transportation in the State of Maryland. Some aspects of the functional area are, however, joint merged, and in addition, specific transportation functions and activities may be classified as solely state.

At the state level, the functional area of Transportation is divided into five main functions as follows: State Aviation Administration, Maryland Port Administration, Mass Transit Administration, Motor Vehicle Administration, and State Highway Administration. Of these five divisions, the Maryland Port Administration and the Motor Vehicle Administration are strictly state activities.

At the local government level, transportation denotes airports, mass transit systems, highway or street construction and maintenance, street lighting, snow clearance, and other such related activities. The organizational structure of departments at the local government level basically falls into the following categories: comprehensive departments of transportation, roads departments or road boards, departments of public works, and state maintained local systems.

In the past, the term "transportation" at the state government level signified, for the most part, highway construction and maintenance. The State of Maryland was not unique in this respect; in most other states, the situation was the same.

On July 1, 1971, the Maryland Department of Transportation (DOT), part of the reorganization of the executive branch of state government, officially opened its doors. Although Maryland was the thirteenth state to create a unified state transportation agency, the Maryland Department of Transportation is unique in its scope and strength. DOT centralizes all transportation modes and economic resources in support of statewide transportation development. The State has also granted DOT substantial flexibility in the use of funds for transportation development.

The primary objective of the Maryland Department of Transportation is to develop, construct, operate, and maintain a safe, efficient, and balanced transportation system for the citizens of the State. Except for the frequent comment that the Departments of Transportation and other state agencies should coordinate their activities, and establish more open lines of communication among each other, the Maryland Department of Transportation generally received high marks from state and local officials alike concerning the job it was doing.

Until recent years the term "transportation" at the local government level, except in large urban-metropolitan areas, essentially meant highway construction, maintenance, and other such related activities. Within the past decade, however, such views of transportation have changed significantly. Smaller urban-metropolitan areas, in rural sections of the State, have begun experimenting with mass transit systems, and the number of general aviation airports has increased. The message appears to be clear. The growing scarcity (until new sources are developed) and expense of our energy resources are forcing all government levels to search for fitting alternatives to the individual, private automobile.

It is with this in mind that the Commission makes its recommendations concerning the functional area of Transportation.

Recommendations

1. *The planning, and in certain cases, the operational aspects of highway and road construction and renovation, mass*

[1] For a more detailed description of the existing situation in Transportation, see the Informational Report on Transportation included as Appendix G.

transit, and aviation should have strong and active cooperative and coordinated participation by all levels of government.

In general, the Commission believes that Transportation as a function should continue as is, that is as a function in which both state and local governments actively participate. Exceptions to this general principle are the Motor Vehicle Administration and Maryland Port Administration which work well as solely state functions. Also, aviation, when categorized by different types of airports, i.e., small, private, and general airports operated by local governments as opposed to large, regional, commercial airports, like Baltimore-Washington International Airport, operated by the State, functions well as a joint, parallel function.

The Commission believes, however, that certain aspects of Transportation, primarily the planning but also in certain cases the operational aspects of highway and road construction and renovation, mass transit, and aviation should have strong and active cooperative and coordinated participation by all levels of government. Such participation in these three areas will bring about two needed improvements in the area of Transportation: (1) a better realization at the local government level that a meaningful transportation program calls for characteristics of safety, efficiency, and balance to be present throughout the system, and (2) an economic saving to both levels of government. Additional joint coordinated planning as far as overall transportation needs are concerned will eliminate wastefulness caused by either non-cooperation or duplication of effort.

2. *The Five-Year Needs Plan and Twenty-Year Needs Study should become a separate section of a statewide comprehensive transportation plan that encompasses all modes of transportation and types of transit systems. Such a plan should be compiled and annually updated by the State Department of Transportation in cooperation with local governments and all other affected state agencies.*

With the establishment of the State Department of Transportation, the State Highway Administration (SHA) assumed responsibility for highway maintenance and development. Each year, priority projects are selected from the statewide Twenty-Year Needs Study, compiled by the State Highway Administration with the participation of all local governments. Projects selected for most immediate action are then placed in a Five-Year Needs Program. An annual program based on these priorities is submitted in the Department's budget for review, approval, and funding by the Maryland General Assembly.

In 1972, the Consolidated Transportation Program of the Maryland Department of Transportation provided for the establishment of two new roadway systems—State Primary and State Secondary Highways. Under the new approach, funding of the construction and maintenance of State Primary Highways is the sole responsibility of DOT. These highways are removed from the Five-Year Highway Construction Program and are no longer charged against the funds allocated to the counties.

The Twenty-Year Needs Study and Five-Year Needs Plan, which must be retained because of federal funding requirements, are existing mechanisms by which the state and local governments can jointly plan and decide upon future highway projects. It should be noted, however, that once a highway project is placed within the Five-Year Needs Plan, the project may not be removed from the Five-Year Needs Plan by an involved local government, except in emergency circumstances, and with the total consent of the State Department of Transportation. The preceding recommendation presents a call for a more comprehensive integrated method of transportation planning, combining all aspects of the function into a statewide transportation plan.

The Commission believes that this can be accomplished by integrating the Twenty-Year Needs Study and Five-Year Needs Plan within a statewide comprehensive transportation plan that encompasses all modes of transportation and types of transit systems. Within such a comprehensive plan, the State Department of Transportation should address the issue of developing new, and innovative methods of individual and mass transportation. Such a plan should be compiled, and annually updated by the State Department of Transportation in cooperation with local governments and all other affected state agencies.

3. *The Department of Transportation should coordinate transportation planning with the plans of other affected state agencies to identify where transportation planning interfaces, complements, or conflicts with other agency plans. The Department of Transportation should work with other affected state agencies to reconcile areas of inconsistency and conflict.*

In the section of this report dealing with planning, it was indicated that one of the weaknesses of the Department of State Planning (DSP) is that DSP fails to assess the impact of planning in functional areas at the state level. The Commission recommends that the Department of State Planning should work more closely with and better coordinate the planning activities of the state's functional agencies.

Planning done by the State Department of Transportation also interfaces with the planning of other functional agencies. For example, how can one accomplish realistic planning for community or economic development, water and sewerage systems, health centers, social and juvenile services, police, correction, or fire services without somewhere considering the important function of Transportation. It is of the utmost importance that the Department of Transportation encourage open, two-way lines of communication with all other state agencies, in order that functional planning by all agencies concerned will be well-coordinated.

The Commission recommends that the Department of Transportation should continually work in conjunction with all other affected state agencies to coordinate transportation planning, that is, to identify where transportation planning interfaces, complements, or conflicts with other state plans. All

state agencies concerned should be involved in reconciling, not promoting, areas of conflict and inconsistency.

4. *Counties, especially non-urban counties, should consider the relative costs/benefits of discontinuing their road departments (which require large administrative costs and capital investments) and contracting with the State Highway Administration for services, as six counties currently do.*

The State Highway Administration, under a contractual arrangement, constructs, maintains, and administers the road systems of six of the twenty-three counties of the State—Cecil, Kent, Talbot, Calvert, Charles, and St. Mary's.

A State Highway Administration road supervisor in one of the above counties reported that the benefits of state maintained roads are greater to the county involved than to the State. Such a contractual arrangement relieves the county of all responsibility for actually constructing and maintaining highways. An even greater advantage to the counties involved is the fact that expensive capital equipment necessary to construct and maintain roads need not be purchased. Of course, one disadvantage is that when there are two projects to be done at the same time, the first on a state road, the second on a county road, the state road usually will receive top priority.

The Commission believes that the advantages of state-maintained roads, for particular counties, definitely outweigh the disadvantages. Thus, the Commission recommends that counties, especially non-urban counties, should consider the relative costs/benefits of discontinuing their road departments (which require large administrative costs and capital investments) and of contracting with the State Highway Administration for services, as six counties currently do.

VI. The Function of Parks and Recreation[1]

Parks and Recreation is essentially a joint parallel function in the State of Maryland with a few major exceptions.

Program Open Space and the School-Community Centers Program are joint merged functions. Policy for both programs is set at the state level. Funding for the School-Community Centers Program is totally from state sources, while a state-local matching formula is employed for Program Open Space. Actual implementation of both programs' activities is controlled at the local government level.

Facilities for recreation, whether in the form of parks (open space) or buildings (recreation centers), have always been the responsibility of both state and local government in Maryland. Organized recreational programs, however, have always been the sole responsibility of local government, which includes both counties and municipalities. Little uniformity exists, however, in the organizational arrangement of agencies employed by local political subdivisions to carry out this function. Policy, funding, and the operation of organized recreational activities is chiefly local in nature.

In general, the Commission believes that the current distribution of responsibilities (roles) between the state and local governments works quite well to the benefit of the citizens of the State. One area which might be improved upon, however, is the development of better recreational programs within some local governments. The one recommendation emanating from the Commission in this field reflects this belief.

Recommendation

1. *The Department of Natural Resources through its Parks and Recreation programs should assist all counties and municipalities in developing recreational programs.*

In its study of Parks and Recreation, the Commission learned that Parks and Recreation agencies at the local government level possess little uniformity of organization, personnel, or programs. Many rural, less developed counties and municipalities cannot afford to make recreation a top priority item. As a result, recreation agencies in such jurisdictions are usually poorly funded and staffed by volunteers. Because of these factors, the programs suffer.

Although the wealthier, more developed counties and municipalities usually have more extensive, varied, and better financed recreational programs, these jurisdictions, also, are not without their problems in this area. Such jurisdictions also possess more diverse and complex socio-economic groups who demand more, and a better quality of services from their local governments.

Finally, the State Park Service, located within the Department of Natural Resources, has always provided certain types of recreational services to the citizens of the State, e. g., State Parks with such activities as boating, hiking, camping, etc. The Commission recommends that the Department of Natural Resources expand its Parks and Recreation activities to include professional assistance to all counties and municipalities that request and need aid in developing sound and useful recreational programs.

VII. The Function of Agriculture[1]

Although Agriculture is classified as a joint merged function, local government involvement in this function is minimal. At the state level, agricultural responsibilities are divided among three agencies; the Department of Agriculture, the Maryland Cooperative Extension Service, and the Agricultural Experimental Station.

Agricultural marketing, inspection, and regulation are the primary activities of the Department of Agriculture, while agricultural research and educational assistance are the responsibilities of the Experimental Station and the Cooperative Extension Service respectively. The latter two agencies receive a substantial portion of their funding from the federal government, and are part of the University of Maryland.

[1] For a detailed description of the existing situation in Parks and Recreation, see the Informational Reports on Natural Resources found in Part III, of this Report as Appendix D, and the Community Use of School Facilities and Parks and Recreation Information included in this report as Appendix H.

[1] For a detailed description of agricultural services at the state and local levels, see the Informational Report on Agriculture included as Appendix I.

At the local governmental level, county governments generally confine their agricultural activity to providing financial support to various state agricultural programs. All counties and Baltimore City partially fund the budgets of the Maryland Cooperative Extension teams which operate within their jurisdictions. In addition to providing financial and personnel assistance to the twenty-four conservation districts in the State, local governments serve as the chief policy-makers for these districts.

The State Department of Agriculture is a relatively new agency that is still in the process of organizing and establishing relations with other agencies as well as other levels of government. Because of this fact, more time should elapse before a thorough assessment of this functional area is made.

In the Commission's examination of the existing situation regarding the function of Agriculture, certain intergovernmental problems and concerns became apparent. These findings are discussed below.

Although the 1970 state reorganization sought to consolidate related functional agencies within umbrella departments, two major aspects of Agriculture—agricultural research and education—remained outside the Department of Agriculture when it was created in 1972. The cabinet level department does not encompass the Maryland Cooperative Extension Service or the Agricultural Experimental Station, each of which provide extensive agricultural services.

Today, the issue remains whether further consolidation of the agriculture agencies should occur. After the Department of Agriculture has had an opportunity to establish itself, an evaluation should be made of the existing organizational arrangement. At that time it should be determined whether further consolidation is necessary in order to develop a unified agricultural program for the State.

In the meantime, it is imperative that the three separate agricultural agencies coordinate their efforts to avoid duplication and conflict. When the Department of Agriculture was created in 1972, a substantial number of University of Maryland personnel were transferred to the department. Because of this exchange of personnel, a close informal, as well as formal, working relationship exists between the three agricultural agencies. As the department develops, and changes in personnel occur, it is crucial that regular interagency communication and cooperation be maintained. These three agencies must accept common agricultural goals if the State is to have a cohesive agricultural program.

In defining the limits of each agency's responsibilities, each agency should respect the domain of the other existing agricultural agencies, and avoid duplicating their activities. The Commission suggests that the Department of Agriculture should avoid becoming active in educational assistance or research, except for regulatory and inspection purposes. Similarly, the university based agencies should avoid the area of agriculture inspection. By so doing, the competition and overlap which exists between the agriculture departments of other states and the Cooperative Extension Service operating within those states might be avoided in Maryland.

The Cooperative Extension Service which was conceived as an agricultural agency has recently expanded into urban areas. It might be argued that this expansion is necessary in an increasingly urbanized state. However, the Commission is concerned that the Extension Service is expanding its scope merely to perpetuate itself. The Commission questions whether all the programs that are offered by the Cooperative Extension Service are legitimate government responsibilities, and if so, whether these activities are the appropriate responsibility of this agency. The Commission is concerned that the Extension Service in its continued expansion may encroach upon the domain of existing state agencies. Therefore, the Commission *proposes that the mission and objective of the Extension Service be specifically defined, and superfluous programs be trimmed before the Cooperative Extension Service expands further in Maryland.* This action will help to develop a balanced three prong approach to the problems of Agriculture within the State.

As stated in the section on the function of Environmental Control, the Commission recommends that a *new Department of Environmental Regulation should assume responsibility for the sediment control portion of the Soil Conservation Committee.*[1] The Soil Conservation Committee which is located within the Department of Agriculture should confine its activity to agricultural concerns and benefits, such as contour farming, soil testing, etc. Sediment control, flood control, and other such activities which are of general concern should be placed within a new environmental agency.

Also mentioned in the section on Economic Development is the Commission's concern over the accelerated rate at which Maryland's farmland is being converted into commercial and industrial developments. In the interest of preserving farms and maintaining a vigorous agricultural industry in Maryland, the Commission proposes that the Department of Agriculture work with the Department of Economic and Community Development to protect agriculture in the State, and insure a balanced state economy. The Commission is aware of the efforts of the Department of Agriculture to preserve farmlands, and the similar goals of the Department of Economic and Community Development. The two agencies should combine their expertise and approach the problem together.

[1] See Part III of this report which deals with Environmental Control.

APPENDIX C

INFORMATIONAL REPORT
ON
PLANNING

INFORMATIONAL REPORT

ON

PLANNING

OCTOBER 18, 1974

(For Discussion Only)

MARYLAND COMMISSION ON THE FUNCTIONS OF GOVERNMENT

EXECUTIVE BUILDING
140 MAIN STREET
ROOM 104
ANNAPOLIS, MARYLAND 21401

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I. INTRODUCTION

Planning may be defined as a continuous process of evaluating and re-evaluating the ideals and problems of the present, and then projecting them into a desired state in the future. As a process, planning must be continually adapted to meet the realities and needs of the day.

In his book, Urban and Regional Planning: A Systems Approach,[1] J. Brian McLoughlin views planning as a cyclic process. To McLoughlin, the planning process should have a similar shape to the human eco-system which it seeks to control. In essence, McLoughlin's planning process involves the five following steps:

1. The environment is scanned and on the basis of values held by the individual or group, certain needs or wants become apparent, some of which might be satisfied through the physical relationship with the environment.

2. Goals are formulated in broad terms and perhaps, at the same time certain more precise objectives (which must be reached in order to move toward goals) are identified.

3. Possible courses of action to reach the objectives and move toward the goals are examined.

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[1] J. Brian McLoughlin, Urban and Regional Planning: A Systems Approach, (New York: Frederick A. Praeger, 1969).

4. Evaluation of these possible courses occurs by reference to the means available, the costs likely to be incurred in overcoming constraints on action, the benefits likely to be derived, and the consequences of action, so far as can be determined.

5. Action is taken on the basis of these considerations. The action modifies the relationship between the individual or group and the environment; it will also alter the environment itself, and, in time, the values held about it. The environment continues to be investigated and new goals and objectives may be formed.[1]

Thus, the planning cycle, which McLoughlin defines as the means for controlling the complex systemic changes which give rise to, and arise from the preceding behavior patterns, is completed, and the next cycle begins afresh.[2]

Once a plan has been conceived, developed and agreed upon, how is it then implemented? According to McLoughlin, plan implementation "must be examined for the total effect it is likely to have on the system and whether or not this would result in moving the system in the right direction."[3] In order to better understand this proposition, the following development application--whether for new construction, demolition, change of use or whatever--is examined in light of a series of questions which must be answered before actual plan implementation.

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[1] Ibid., p. 95.

[2] Ibid., p. 95.

[3] Ibid., p. 281.

Activity (Functional Area)

Is the type of activity proposed consistent with the intentions of the plan (e. g., residential, economic activity specified by class, recreational, etc.)? Is the size of activity proposed consistent with the intentions of the plan (e. g. number of persons, number of jobs, volume of production, etc.)? Are the other characteristics of the proposed activities consistent (e. g., seasonal fluctuation, shift working, etc.)?

Space (Physical and Environmental Factors)

Is the amount of space proposed consistent with the plan (e. g., number of dwellings or towns, floor area, parking spaces, total area of land used, etc.)? Is the location of space used consistent with the plan (e. g., is the proposal likely to cause difficulty with later development)?

Communications (Human and Social Factors)

Is the amount of communication proposed consistent with the plan (e. g., the number of trips which are likely to be "attracted" by a workplace or "produced" by a residential proposal; are the rates of trip production and attraction likely to differ significantly from those assumed in the plan)?

Are the types and modes of communication consistent (e. g., time of day, peak, off-peak, weekly or seasonal variations)? Are the sensory qualities of the proposal consistent with the plan (e. g., massing and general arrangement of buildings, prominent structures, landscape treatment, noise levels, pollution of air and water, etc.)?

Channels (Location and Mobility Factors)

Is this type of channel consistent with the plan (e. g., 400 Kv overhead cables, dual two-lane limited-access road, 36-ins. diameter gas pipeline)? Is the location (or routing) consistent? Are the connections, access points, and junctions consistent? Are the sensory qualities consistent (e. g., design and spacing of towns, design of bridges and cuttings, form of embankments, landscape design, etc.)?[1]

In essence, the preceding listing is purely illustrative; in an actual planning situation only some of these questions may be asked and others would be raised in addition. However, essentially they would relate to these four broad groups.

Having defined and discussed planning in general, the next step is to identify several types or varieties of the planning process as follows:[2]

Coordinative Planning is the identification and definition of broad, general long-range strategies to be employed to reach a specified end condition. For example, the Maryland Generalized Land Use Plan means a definition of a variety of strategies to be employed to achieve the most desirable pattern of land use within the State.

Functional Planning means the preparation of long-range plans by operating departments for their areas of responsibility, that is, health, transportation, community development, sanitary sewers, and water supply. Functional plans detail specific facility requirements within the framework

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[1] Ibid., pp. 281-282.

[2] The primary source for the information on various types of planning is the Maryland Department of State Planning's Study Design for Maryland Generalized Land Use Plan published January 1, 1973.

established by the coordinative planning process.

Program Planning involves the definition of short-range priorities and facility and service requirements within the context of long-range functional plans.

Fiscal Planning is the allocation of fiscal resources among programs for capital and operating expenses within the context of coordinative, functional and program planning.

Finally, a Comprehensive Plan, which can and should possess qualities inherent within each of the four preceding types of planning, is a spin-off product at one point in time of this process. While a comprehensive plan is subject to continuous changes, it is paramount that the plan be an effective document. The plan is the most measurable control which the process and its participants have on existing and future conditions.[1]

Also, in regard to comprehensive plans, there are certain qualities which such a plan should possess as follows:

1. The plan and process must be present-future oriented, because the objectives of the future are rooted in the problems of today.

2. The plan and process must be anticipatory. Trend anticipation is thus another method of adding future dimensions to the plan and process.

3. The plan and process must balance exactness with flexibility. Wherever specific actions can be defined and agreed on, the

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[1] Hagerstown: The Updated Comprehensive Plan, Volume 1, Hagerstown Planning Process, August, 1973, p. 4.

plan should provide detailed steps for realizing such actions. The plan must be flexible to allow innovations or alternatives, because a too rigid plan often confuses means with ends, risking its actual validity and usefulness.

4. The plan and process must be realistic, or in other words, time should not be wasted applying the same old solutions which have never worked in problem-solving in the past.

5. The plan and process must be implemented. The plan must be implemented if it is to be a reasoned and reasonable response to changing conditions rather than an academic exercise.

6. The plan and process must be political. This will insure that decisions embodied in the process represent legitimate community desires which can be effectively translated into plans, programs, and policies.[1]

In his book, Town Planning in its Social Context, Gordon E. Cherry asserts that, even though it has failed dismally in this respect in the past, planning must become a comprehensively based movement, body of thought, or discipline.[2] According to Cherry, the definition of environment is very difficult, but for the planner, the physical environment has been traditionally understood to be in question.

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[1] Ibid., pp. 5-8.

[2] Gordon E. Cherry, Town Planning in its Social Context, (London: Leonard Hill Press, 1970), p. 42.

> This meaning must now be seen as too restrictive. The complex interrelationships within the physical, economic and social environments have become increasingly apparent and so we might now think of 'environment' in total terms: from the social point of view, it is important to recognize that an environment contains individuals, organizations and an institutional framework of social communications. An interpretation of planning simply being concerned with land is, in these circumstances, unduly confining.[1]

In other words, Cherry is saying that planning, if accomplished properly, forms a total trilogy comprised of physical, economic, and social planning.[2]

What Cherry is saying is that it is extremely difficult to have, as an end to the planning process, a limited, unique, and singular objective. For example, the increasing recognition of the need to control the allocation of residential land in the State and the manner in which it is laid led to land use planning which is primarily physical. Again, the prohibition of slot machines in Calvert, Charles, and St. Mary's Counties after July 1, 1969, instigated planning to promote the historical and tourist characteristics of the three counties. The motive behind this planning was basically economic. Is it possible, however, to maintain that land use planning is exclusively physical or environmental with no economic overtones, or conversely, that planning to promote a jurisdiction's historical sites or tourist attractions has only economic and no physical or environmental considerations? In addition, what are the social implications of land use, tourist, and historical planning? In other words, is it possible for any one area of planning to have a single

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[1] Ibid., p. 46.

[2] Ibid.

objective which in no manner overlaps with any other classifications of objectives? It does not seem possible.

It is the task of this paper to examine the function of planning at the state, county and municipal levels in the State of Maryland. How each level of government defines planning, the manner in which each level performs this function, and the intra and inter-jurisdictional relationships necessary for the proper coordination of a multiplicity of plans which exist within the State will be especially noted. For example, does the existence of hundreds of plans concerning many different subjects on all government levels result in complete chaos, or is it possible that the necessary cooperation among all government levels will result in the coordination of the several hundred plans, which in essence would serve the same purpose as one general, all encompassing, comprehensive state plan?

This paper is organized in the following manner:

First, the five main divisions within the Department of State Planning (DSP) will be described. This description will include background information; organizational arrangement; responsibilities; and legal, operational, and budgetary authority. The state planning activities of the Department of Economic and Community Development will also be briefly discussed.

Second, a description of planning activities at the local level, both county and municipal, will be presented. This description will include the same four broad areas of information that were utilized in the state planning activities portion of this paper.

Finally, a discussion of particular operational and relationship problems dealing with planning that affect both the state and local governments will be included.

II. PLANNING AT THE STATE LEVEL

A. DEPARTMENT OF STATE PLANNING (DSP)

1) Background

Maryland has been involved in planning at the state level for over forty years. In 1933, the General Assembly established the Maryland State Planning Commission. By 1958, this Commission served as a consultant to city planning agencies, conducted research and planning in the area of medical care, and was involved with capital improvement programming and budgeting. In 1959, the State Planning Commission was succeeded by the State Planning Department.

The enabling legislation for the State Planning Department was Article 88C of the Annotated Code of Maryland. The Article stated that,

> It shall be the purpose of the State Planning Department to function as the Governor's staff agency in planning matters, and to prepare, recommend and keep up to date a balanced, integrated program for the development and effective employment of the natural and other resources of the State, in order to promote the health, safety and general welfare of its citizens. In execution of its purposes, the State Planning Department shall function as an advisory, consultative and coordinating agency, (1) harmonizing its planning activities with the planning activities of departments, agencies or instrumentalities of state or local government; (2) rendering necessary planning assistance; and (3) stimulating public interest and participation in the development of the State.

In 1969, Article 88C of the Annotated Code of Maryland was amended and the State Planning Department was renamed the Department of State Planning and elevated to a cabinet level department. Although several administrative changes were made in 1969 and again in 1971, the purpose of the

planning department remained virtually unchanged. The mandate of the Department of State Planning was merely expanded to include responsibility in two other areas: (1) coordinating the plans and programs of all state departments, agencies and instrumentalities, and (2) coordinating the State's programs with the federal government.

Although most state agencies are involved in their own planning, it is the Department of State Planning which has been designated as the Governor's staff agency in planning matters, and the clearinghouse for state and federal grants for planning, land acquisition, and construction programs. Therefore, this section will focus on the role of the Department of State Planning, its responsibilities, organization, budget, and interactions with other levels of government.

2) Duties and Responsibilities

Article 88C outlines numerous areas of responsibility for the Department of State Planning (DSP). The list includes the following:

Preparing a state development plan (s), including a statement of objectives; recommendations for land use; identification of critical areas of concern; recommendations concerning location of major public and private works and facilities; recommendations concerning transportation routes and communication facilities. In conjunction with preparing state plan (s), DSP is to review and analyze all federal grants, loans, and services, state grants to local governments; and evaluate the state capital plans and programs.

Serving as the Governor's principal staff planning agency assigned to conduct studies upon the request of the Governor or the General Assembly.

Preparing the State's capital program and annual capital budget.

Preparing inventory of facilities and natural resources.

Conducting civil defense planning in cooperation with federal and state agencies.

Correlating data as to publicly owned real property.

Receiving funds from state, federal, local or private sources.

Providing planning assistance including, but not limited to surveys, land use studies, urban renewal plans and technical service to county, municipal and local governments of planning agencies.

Coordinating the plans and programs of state agencies, and federal, state and local governments.

Serving as state depository of plans.

Intervening in administrative and judicial or other proceedings pertaining to land use, development, or construction.

Developing data reference standards.

All other powers necessary to discharge its duties.

Although the Department of State Planning is delegated numerous duties and responsibilities, Article 88C explicitly states that the DSP's planning powers are not to enfringe upon the right of other governmental bodies to plan. The Code states, "Nothing in this article shall operate in derogation of planning powers conferred upon departments, agencies or instrumentalities of state or local government by any existing state or local law."

3) Organization

The Department of State Planning is structured into five divisions: General Administration, Regional and Local Planning, Research, Capital Improvement, and Comprehensive State Planning. In addition, the Department is advised by a nine-member citizen State Planning Commission.

The following is a summary of the operating expenditures, and personnel for the entire Department of State Planning:

	1973 Actual	1974 Appropriations	1975 Allowance
Total Authorized Positions	170	175	193
Net Total General Fund Expenditure	1,343,378	1,478,162	1,582,208
Special Fund Expenditure	471,860	317,699	351,676
Federal Fund Expenditure	1,844,499	1,946,719	1,998,696
Total Expenditure	$3,659,737	$3,742,580	$3,932,580

a) General Administrative Division

The General Administrative Division consists of the Office of the Secretary, General Administration and State Clearinghouse.

The following summarizes the operating expenditures and personnel for the entire General Administrative Division.

	1973 Actual	1974 Appropriations	1975 Allowance
Total Authorized Positions	22	23	25
Net Total General Fund Expenditure	363,933	403,031	493,901
Federal Fund Expenditure	59,760	62,300	108,521
Total Expenditure	$423,753	$465,331	$582,422

Office of the Secretary - This section provides the executive direction and coordination of the functions of the Department, and through the Secretary, liaison with the Executive Department, the Legislature, and other state agencies.

The General Administrative Section - This section provides administrative support for the Department. It is responsible for budgetary, accounting, personnel, recruiting, and information services.

The State Clearinghouse - The State Clearinghouse was established in 1969, in response to the U.S. Intergovernmental Cooperation Act of 1968, and Office of Management and Budget Circular, A-95. As a designated A-95 Clearinghouse, the clearinghouse operates the Project Notification and Review System for the review of certain federal grant and loan programs, and state grant programs.

In accordance with federal guidelines, the clearinghouse receives federal grant requests from state and local applicants, and submits them for comment to those state, regional, and local agencies which may be affected by the project under funding consideration. During the review, the DSP clearinghouse initiates an environmental impact study of the proposed project as required by the federal government.

Recent state legislation requires all requests for state grants to be processed through the clearinghouse review procedure. The manner in which this mandate will be fulfilled has yet to be determined by the Department of State Planning. The clearinghouse also reviews State Program Open Space Projects and proposed nominations to the National Historical Register.

By enabling affected parties to review applications for federal and state assistance before money is awarded, the clearinghouse procedure facilitates federal, state and local interaction. The process provides an opportunity for interagency and intergovernmental communication and coordination.

The following table indicates the State Clearinghouse's level of activity in obtaining federal funds.

	1970	1971	1972	1973
Reviews Coordinated	151	344	671	697
Federal Grants Received ($ million)	$ 351	$ 381	$ 563	$ 571
Number of Grants	-	724	885	662

As the designated State Central Information Reception Agency, the State Clearinghouse publishes a monthly and annual report of grant-in-aid actions, and a catalog of available State Assistance Programs. The Clearinghouse also correlates information and data concerning land and other real property owned by the federal, state and local governments, and coordinates the disposal of excess state and federal property in the State.

b) Regional and Local Planning Division

The Regional and Local Planning Division provides technical and financial planning assistance to regional, county, and municipal governments. Seven regional offices are located throughout the State to coordinate planning between the levels of government, encourage viable regional and local planning, and coordinate local plans. The regional offices are located in Cumberland, Silver Spring, Waldorf, Centreville, Salisbury, Baltimore, and Frederick City.

The primary stated objectives of this Division are: (1) establish the comprehensive planning process as a continuing function of local government; (2) increase the capabilities of local governments to articulate critical problems, identify resources, develop policy, and implement the programs of physical, social, and economic betterment; (3) establish a basis of multi-faceted regional approaches to areawide problems; (4) ensure the development of local, regional and statewide plans and programs within a common and coordinated policy framework.

The following is a summary of the operating expenditures and personnel for the Regional and Local Planning Division.

	1973 Actual	1974 Appropriations	1975 Allowance
Authorized Positions	17	17	19
Net General Fund Expenditure	$198,709	$223,768	$201,084
Federal Fund Expenditure*	46,739	61,000	107,300
Total Expenditure	$254,448	$284,768	$308,384

*Federal funds from Section 701, Housing Act of 1954.

c) Research Division

The primary function of the Research Program is to provide comprehensive analysis and information that will assist state and public agencies. Activities vary from the development of data bases of socio-economic information to the design and construction of predictive models essential for the identification and evaluation of development issues. In addition, the division conducts research at the request of the General Assembly, Governor or other state agencies.

A summary of the expenditures and personnel for the Research Division is as follows:

	1973 Actual	1974 Appropriations	1975 Allowance
Authorized Positions	14	14	14
Net General Fund Expenditure*	$138,022	$150,762	$161,110
Federal Fund Expenditure	100,186	126,773	166,000
Total Expenditures	$238,208	$277,535	$327,110

*Federal income from Development of Information Base for Planning, Section 701, Housing Act of 1954.

d) Capital Improvement Division

It is the responsibility of the Capital Improvement Division to prepare the Governor's annual capital budget, and update the Five-Year Capital Improvement Program for consideration by the General Assembly. Each year, the state departments and state institutions submit requests for capital projects to DSP. These requests are evaluated, ranked according to operational priority and importance, incorporated accordingly within a proposed capital improvement program.

The Department of Budget and Fiscal Planning, and the Department of General Services also participate in the capital improvement planning process. However, officials from these two agencies contend that their input is insufficient, since officials from these agencies are not included in the final phase of the process. According to these officials, these two agencies provide data and analyses to the Department of State Planning, but the agencies do not fully participate in the final decision-making, recommendation-making stage, the stage which immediately preceeds submission of the capital budget to the policymakers.

The Capital Improvement Division also reviews all proposed legislation authorizing increases in state bond indebtedness, and makes recommendations on all proposed state funded capital projects except highways and transportation facilities. In addition, the Capital Improvement Division serves as the Department of State Planning's representative on the Interagency Committee for the Administration of Public School Construction.

The following reveals the operating expenditures and personnel for the Capital Improvement Division.

	1973 Actual	1974 Appropriation	1975 Allowance
Authorized Positions	21	21	21
Net General Fund Expenditure	$284,171	$300,371	$307,559
Federal Fund Expenditure*	16,847	13,000	11,688
Total Expenditure	$301,018	$313,371	$319,247

*Federal income from Title 10, Higher Education Act of 1965.

e) Comprehensive State Planning

Because of an increased emphasis on the preparation of development plans and the increasing scope of the State Department of Planning's interest, the Comprehensive State Planning Division was created and funded in FY-72. Previously, the Research Division carried out many of the Comprehensive State Planning Division's functions.

The major function of the Comprehensive Division is the formulation of the plans for the development of the State. The Division reviews and comments on plans, programs, and projects submitted through the State Clearinghouse; prepares functional plans for agencies that lack planning staffs and

assists those with planning staffs; develops, demonstrates and institutes innovative planning methods; and prepares statewide development plans.

	1973 Actual	1974 Appropriations	1975 Allowance
Authorized Positions	27	27	35
Net General Fund Expenditure	$213,309	$249,323	$281,598
Federal Fund Expenditure*	407,077	524,443	533,697
Total Expenditure	$620,386	$773,766	$815,295

*Federal income from Section 701, Housing Act of 1954; NASA Demonstration Grant; Title 3, Economic Development Act of 1965.

To fulfill its responsibilities, the Comprehensive State Planning Division is divided into four sections:

Physical and Environmental Resources Planning - As the title suggests, this section is primarily concerned with physical and land use planning. The section is responsible for preparing a generalized statewide Land Use Plan, and promoting a structured, interdisciplinary and cooperative approach to the management of natural resources. In addition, this section is involved in updating the existing Open Space Plan, and reviewing and commenting on various transportation, and water and sewerage plans.

Food Disaster Coordinating Office - This section plans and implements flood recovery, rehabilitation, and recovery activities.

Program Planning and Coordinating Section - In order to enhance intra- and inter-departmental coordination, this section has the following responsibilities: maintaining liaison with other state departments preparing functional or other plans; assuring that department efforts in Equal Opportunity and

Citizen Participation meet requisite guidelines; and monitoring the status of federal programs affecting the department and making programming and budgeting recommendations related thereto. This section also performs administrative duties for the Comprehensive State Planning Division such as preparing the divisional budget and coordinating personnel work within the division.

Human Resources Planning Section - This section is concerned with the human element. The objective is to provide a more coordinated state planning process for human services and supply data with which to identify needs, plan service delivery, and evaluate service effectiveness.

4) Other Planning Agencies

a) State Planning Commission

Article 88C of the Annotated Code of Maryland states, "There shall be a State Planning Commission within the Department of State Planning, which shall constitute an advisory board for the Department of State Planning." The Commission is a nine-member citizens advisory board which advises and reports to the Secretary of State Planning. The Commission considers all matters submitted to it by the Secretary, such as, but not limited to the State Development Plan, current department activities, state needs for further development, the establishment of regional or metropolitan planning areas, department effectiveness, and public awareness of planning objectives.

In addition to advising the Secretary, the Commission, with the consent of the Secretary of State Planning, may hold public or private hearings and forums.

The membership of the Commission is appointed by the Governor with the exception of two ex-officio members. One ex-officio member must be a Delegate of the House selected by the Speaker of the House. The other ex-officio member is chosen by the President of the Senate from the Senate membership.

It is significant to note that though the members are selected independently of the Secretary of State Planning, the Commission can only advise on matters the Secretary submits to the Commission, and can only hold hearings with the Secretary's approval.

b) Regional Planning Council

The Regional Planning Council is a separate agency located within the Department of State Planning. The Regional Planning Council is assigned by gubernatorial executive order to the Department of State Planning, even though the Council restricts its focus to planning in Baltimore City, and Anne Arundel, Howard, Harford, Carroll and Baltimore Counties. For detailed information concerning the Council, refer to the Commission's Informational Report on Regionalism dated March 15, 1974.

5) Programs and Activities

a) Maryland State Development Plan

The Department of State Planning is currently involved in various programs. However, an area of primary concern, which deserves further mention here is the formulation of the State Development Plan.

The stated purpose of the Development Plan is threefold: (1) to meet the need for a comprehensive approach with due consideration to the problems

of the State and the desires of its citizens; (2) to provide a broad but integrated context within which agencies can prepare program plans; and (3) to integrate the planning efforts of the state, local and regional levels.

Background reports being used in the preparation of the State Development Plan have already been completed (the Open Space Plan, Wetlands Report, and Assateague Report, etc.). However, the major elements of the plan that remain to be completed are the Human Services Planning and Coordinating Project, and the Land Use Plan.

The Human Services Planning and Coordinating Project will consider the human element by focusing on such things as health and illness, learning, science, and art, income and poverty, social mobility and employment opportunities, public order and safety. The project will include an analysis of current conditions, a statement of recommended goals and policies, recommendations for directions to attain goals, and a recommended planning process. According to the announced schedule, the Human Services Project will be completed by December, 1975, when it will be submitted to the Governor and General Assembly.

The Land Use Plan is to be submitted to the Governor and General Assembly in December, 1974.[1] According to the Department of State Planning, the report will not be a mere map presentation, but shall include all pertinent background material, and the suggested state goals and policies for development, conservation, and preservation of the state's land and bond related resources. In addition, the report shall make recommendations as to the staging of development, methods of implementation, and subjects requiring additional study or refinement.

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[1]Since this Informational Report was first printed the submission date for the Land Use Plan has been postponed until February, 1975.

The Study Design for the Maryland Generalized Land Use Plan outlines in detail the stages involved in developing the state Land Use Plan. In formulating the plan, the following subjects will be analyzed and related problems, assets and opportunities identified:

1. Natural resources including land and its characteristics, water resources, air resources, extractive resources, and open space and recreation.

2. Man-made systems including transportation, liquid and solid waste disposal, water supply, and shelter.

3. Institutional linkages including government and the economy.

Then, based on the analysis of problems and assets, the goals and policies will be formulated.

Next, alternative land use plans will be developed by the Department of State Planning, based on different sets of goals, which will be reviewed by the state and local government and citizens. The final stage will be the selection and presentation of a final generalized Land Use Plan.

6) Relationships: Internal and External

In order to facilitate and coordinate planning throughout the State, the Department of State Planning frequently interacts with other government agencies.

As the clearinghouse for planning grants, the Department of State Planning assists municipal and county planning commissions in obtaining special funding. In addition, the Department of State Planning distributes

state funding to the Maryland National Capital Park and Planning Commission, the Tri-County Council for Southern Maryland, and the Regional Planning Council. Specified sums which are appropriated by the state legislators are chaneled through DSP for distribution to the above agencies.

As the primary state planning agency, DSP assists and advises other agencies and localities concerning planning matters. DSP assists some localities in developing comprehensive plans, zoning regulations and other planning policies. DSP also develops state planning policies and minimum standards with which localities should comply.

In planning for the State, DSP frequently interacts with state agencies, particularly the Department of Natural Resources, Health and Mental Hygiene, Economic and Community Development, and Transportation. For example, in updating the Maryland Open Space Program and conducting the Maryland Wetlands Study, the Department of State Planning worked with the Department of Natural Resources and the Department of Economic and Community Development.

In developing the State Land Use Plans previously mentioned, the Department of State Planning requested, through the State Planning Coordinating Committee, that each county and state agency provide relevant information. After the plan is formulated, the plan will be reviewed by the state and local agencies, Governor, General Assembly and citizens. Thus, because state planning overlaps and affects numerous agencies, DSP interacts with various agencies at different levels of government.

According to a Department of State Planning spokesman, there is also considerable interaction between the various divisions within the Department of State Planning. The spokesman stated that the five divisions

of the Department of State Planning are quite dependent upon each other for assistance. The Comprehensive State Planning Division relies on data supplied to it by the Research Division. Similarly, the Regional and Local Planning Division furnishes information pertaining to local planning to other divisions. The Clearinghouse and Capital Improvements Divisions also depend upon other divisions for input into the reviewing process of capital projects and grant requests.

B. DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT (DECD)

The Department of Economic and Community Development is included in this report because it is currently involved in statewide planning activities which are more inclusive and broader in scope than the planning of other functional agencies. Although Transportation, Health and other functional plans effect the activities of other governmental functions, economic development planning encompasses aspects of other functions. Because Economic Development is dependent upon transportation systems, land-use planning, educational facilities, etc., economic development planning must take into consideration these factors.

In 1972, it was established by the Assistant Attorney General and the Governor that DECD has the mandate to develop a statewide economic plan. The Assistant Attorney General cited the following sections of Article 41 of the Code as providing the necessary authority for DECD to formulate this plan. Section 3 of Article 41 states that the Secretary of each principal department, "shall be responsible for the comprehensive planning of programs and services within his jurisdictions." According to the Assistant Attorney General, Section 260 authorizes the research and planning aspects of the project when it empowers the Division of Economic Development, within DECD, to investigate and

assemble information pertinent to the economic development, industrial opportunities, and the economic resources of the State." Finally, a section from Article 41 was cited as giving DECD broad responsibilities to advance the economic welfare of the people in the State.

Once it was established that DECD has the authority to formulate a state economic development plan, DECD applied for a planning assistance project grant from the Economic Development Administration of the United States Department of Commerce (EDA). Funds from EDA and the Appalachian Regional Commission provide the main source of funding for the state economic development plan. With these funds, DECD was able to employ three planners, and four field workers in the Office of Development Planning to work on the state plan.

In formulating the statewide economic development plan, the Office of Development Planning, within DECD, is attempting to work closely with counties and regions of Maryland. To insure adequate local input, the state economic plan is to incorporate local economic development plans. In fact, the Office of Development Planning intends to compile and coordinate local plan in formulating the economic statewide plan. Currently, the four field workers are meeting with the local Economic Development Commissions and Planning Offices.

III. PLANNING AT THE LOCAL LEVEL

Planning has been a local concern for a number of years. Prior to 1955, county and municipal planning was generally sporatic, piecemeal and compartmentalized. Each local agency planned for its own future, while the general government planned in a piecemeal manner for the community.

Except for Baltimore City which established a Planning Commission in 1910 and a few counties and municipalities which created specialized planning bodies in the 30's, it wasn't until the middle 50's and 60's that most local governments established planning commissions or boards.

In this section, the role of the municipal and county planning board or commission will be discussed. The organization, authority, activities and funding of local planning bodies will be considered.

A. COUNTY PLANNING

In examining the role of the twenty-three counties and Baltimore City in planning, certain similarities and differences become apparent. Although county planning operations vary in scope and sophistication, there are similarities in county planning throughout Maryland.

First, all counties and Baltimore City have planning boards or commissions equipped with professional planning staffs. In each case, the planning boards are appointed by the county commissioners (councils), or the county executive with the approval of the county council.

Second, the Baltimore City and twenty-three county planning boards and commissions are each actively involved in physical and land use planning. It is generally acknowledged that county and municipal land use planning has the most direct impact on land development. Local land use control--zoning and subdivision regulations--and public regulations such as sign control or building codes, remain the primary means of implementing land use plans.

Within the past few years, all the county planning boards have adopted comprehensive plans or substantial parts of such plans. In addition, most

counties have established comprehensive zoning ordinances. Many, but not all of the planning commissions/boards have or are developing subdivision regulations as well. Local planners in some jurisdictions participate in capital improvement planning, and the programming of public facility services.

In spite of these similarities, planning operations at the county level vary appreciably. Contrasts can be seen in funding, staff size, legal source of authority of the planning boards/commissions, scope of planning activities, and length of existence of the planning boards. As these factors are examined, a pattern will emerge. Planning operations in suburban-urban counties will have many common characteristics, and will appear markedly different from the planning operations in rural counties in Maryland.

1) Funding

Chart 1, page 28, lists the planning expenditures from general funds that each county and Baltimore City spent in FY-72 and FY-73. When the counties and Baltimore City are ranked according to planning expenditures, it becomes obvious that urban/suburban jurisdictions spend considerably more money for planning than rural counties do. Baltimore City, the most populated area, spends over $2 million from its general funds for planning activities. Prince George's, Montgomery, and Baltimore Counties follow with planning expenditures of approximately $1 to $1.5 million from their general funds.

In contrast to these four urban-suburban areas, most of the Western Maryland, Southern Maryland, and Eastern Shore counties spend less than $50,000 from their general funds for planning.

Between these extremes, lie the counties which are in the process of becoming more populated and developed (transitional counties). Anne Arundel

CHART 1

PLANNING EXPENDITURES FROM GENERAL FUNDS
(Counties and Baltimore City Ranked by Amount Spent)

COUNTY	FY-73
1. Baltimore City	$2,330,708
2. Prince George's	1,734,355
3. Montgomery	1,456,595
4. Baltimore County	936,636
5. Anne Arundel	583,360
6. Howard	310,514
7. Washington	196,520
8. Harford	195,870
9. Frederick	179,427
10. Carroll	95,235
11. Charles	60,553
12. Worcester	50,034
13. Wicomico	42,324
14. St. Mary's	37,186
15. Cecil	35,382
16. Allegany	34,937
17. Dorchester	34,513
18. Queen Anne's	33,683
19. Talbot	29,082
20. Calvert	20,593
21. Kent	18,478
22. Somerset	13,709
23. Caroline	10,867
24. Garrett	8,933

COUNTY	FY-72
1. Baltimore City	$2,333,396
2. Montgomery	Not listed
3. Prince George's	Not listed
4. Baltimore County	941,738
5. Anne Arundel	521,371
6. Howard	261,320
7. Washington	166,032
8. Frederick	158,777
9. Harford	137,583
10. Carroll	74,632
11. Wicomico	36,840
12. Charles	35,512
13. Worcester	35,331
14. St. Mary's	34,898
15. Queen Anne's	30,050
16. Dorchester	20,699
17. Kent	18,317
18. Somerset	14,727
19. Cecil	14,316
20. Talbot	11,476
21. Garrett	10,000
22. Calvert	8,765
23. Allegany	
24. Caroline	

Source: Detailed Statement of Salaries, Other Operating Expenses and Capital Outlay, Department of Fiscal Services Division of Fiscal Research, Fiscal Years 1972 and 1973.

Howard, Washington, Harford and Frederick Counties each spend over $150,000 for planning activities.

To supplement their county planning budgets, counties are eligible to apply for federal 701 planning funds.[1] In recent years, however, the amount of 701 money available has varied. Chart 2, page 30, reveals the amount of 701 money received by the twenty-three counties and Baltimore City in FY-72 and FY-73.

2) Staff Size

Although each appointed county planning commission/board hires a professional planning staff for advice and assistance, the size of the staffs vary enormously from county to county (see Chart 3, page 31). When the counties are ranked according to the size of their planning staffs, the urban-surburban/rural division appears again. Baltimore City, Montgomery, Prince George's, and Baltimore Counties which have the largest planning budgets, are also the counties which maintain the largest planning staffs.

While these four urban-suburban jurisdictions employ approximately 100 planners and support staff, the rural counties frequently retain a total planning staff of ten or less. Some rural counties such as St. Mary's, employs only one professional planner to assist the planning commission. Between the urban-suburban/rural counties are the transitional counties (Harford, Frederick, Howard, and Anne Arundel) which support planning staffs of approximately twenty to thirty employees.

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[1] Section 701, Housing Act of 1954.

CHART 2

COUNTY EXPENDITURES FOR PLANNING
(MONEY FROM GENERAL FUNDS AND FEDERAL 701 FUNDS*)

	FY-73			FY-72		
	GENERAL FUNDS	FEDERAL 701 MONEY	TOTAL	GENERAL FUNDS	FEDERAL 701 MONEY	TOTAL
Allegany	34,937	-	34,937	-	-	-
Anne Arundel	583,360	-	538,360	521,371	-	521,371
Baltimore City	2,330,708	-	2,330,708	2,333,396	-	2,333,396
Baltimore County	936,636	-	936,636	941,738	-	941,738
Calvert	20,593	3,291	23,884	8,765	-	8,765
Caroline	10,867	10,164	21,031	-	-	-
Carroll	95,235	-	95,235	74,632	-	74,632
Cecil	35,382	13,827	49,209	14,316	-	14,316
Charles	60,553	8,333	68,886	35,512	-	35,512
Dorchester	34,513	5,094	39,607	20,699	-	20,699
Frederick	179,427	35,000	214,427	158,777	39,880	198,657
Garrett	8,933	32,785	41,718	10,000	27,816	37,816
Harford	195,870	34,407	230,277	137,583	-	137,583
Howard	310,514	-	310,514	261,320	-	261,320
Kent	18,478	8,920	27,398	18,317	-	18,317
Montgomery	1,456,595	-	1,456,595	1,198,250	-	1,198,250
Prince George's	1,734,355	57,620	1,791,975	Not Listed	58,108	Not Listed
Queen Anne's	33,683	-	33,683	30,050	-	30,050
St. Mary's	37,186	8,333	45,519	34,898	-	34,898
Somerset	13,709	20,000	33,709	14,727	-	14,727
Talbot	29,082	40,152	69,234	11,476	-	11,476
Washington	196,520	43,558	240,078	166,032	-	166,032
Wicomico	42,324	-	42,324	36,840	25,639	62,479
Worchester	50,034	-	50,034	35,331	-	35,331

*Section 701, Housing Act of 1954.

Source: Information from Regional and Local Planning Division, Department of State Planning, September 1974; and Detailed Statement of Salaries, Other Operating Expenses and Capital Outlay, Department of Fiscal Services, Division of Fiscal Research, Fiscal Years 1972 and 1973.

CHART 3

SIZE OF PLANNING STAFFS
(COUNTIES AND BALTIMORE CITY RANKED BY PLANNING STAFF SIZE)

COUNTY	STAFF SIZE
Prince George's	104
Montgomery	102
Baltimore City	90
Baltimore County	64 (3 part-time)
Anne Arundel	38
Howard	30
Frederick	20
Harford	15 (5 part-time)
Wicomico	10
Carroll	5 (3 zoning)
Charles	6
Washington	5
Allegany	5
Worcester	5
Cecil	5
Dorchester	4
Queen Anne's	4
Calvert	3
Kent	3
St. Mary's	3
Somerset	3
Talbot	2
Garrett	1
Caroline	1

Source: Directory of Maryland Planning Agencies, Department of State Planning, 1973, and interviews with county directors of planning. Professional and support staff fenerally included in totals.

3) History

The same urban-suburban/rural contrast appears when the historys of county planning commissions are considered. Chart 4, page 33, reveals that it was Baltimore City and Montgomery, Prince George's and Baltimore Counties that first established planning commissions. The first formal local planning activity in Maryland occurred in Baltimore City, when in 1910 the Baltimore City Planning Commission was established.

On the other hand, nineteen of the remaining twenty counties established planning commissions after 1950. In fact, several rural counties have only created planning commissions in the last five years.

Various factors provided the impetus for the creation of these county planning commissions. When asked what stimulated interest in planning and the establishment of county planning commissions, county planning directors repeatedly mentioned the following: rapid growth, economic and industrial development, and local citizen concern about uncontrolled growth. Presumably then, areas experiencing substantial growth are more aware of the need to plan, to curb, and direct unwieldly development. Therefore, urban-suburban counties, which experienced growth before the other counties, were the first to establish planning commissions. On the other hand, several rural counties reportedly were reluctant to create planning commissions and established them as a result of state insistence and federal funding.

4) Authority

Legal authority for the various county planning commissions is derived from the various sources: Article 66B of the Annotated Code of Maryland, county charters and specific legislation.

CHART 4

DATE PLANNING BOARDS OR COMMISSIONS WERE ESTABLISHED IN COUNTIES

COUNTY	YEAR
Allegany	1960
Anne Arundel	1965
Baltimore City	1910
Baltimore County	1940's
Calvert	1967 (reorganized 1971)
Caroline	1963
Carroll	1959
Cecil	1957
Charles]	1958
Dorchester	1960
Frederick	1955 (reestablished 1972)
Garrett	1971
Harford	1973
Howard	1951
Kent	1961
Montgomery)	MNCPPC established in 1927
Prince George's)	Was given expanded authority for Planning & Zoning in 1939
Queen Anne's	1961
St. Mary's	1945
Somerset	1967
Talbot	1953
Washington	1957
Wicomico	1950 (in 1959, Salisbury-Wicomico joined)
Worcester	1960

Source: Directory of Maryland Planning Agencies, Department of State Planning, 1973, and interviews with county directors of planning.

As Chart 5, page 35 , reveals, fifteen county planning commissions are regulated by Article 66B. According to the Code, the duties of the county planning commissions include:

a) Preparation of plans which must contain a transportation element, community facilities element, land use element, critical areas element, and element which contains recommendations for land development regulations to implement the plan.

b) Preparation of plans for major geographic sections.

c) Promotion of public understanding of the plans.

d) Recommendations to appropriate public officials concerning programs for public structures, improvements, and land acquisition, and financing thereof.

e) Recommendations as to district boundaries and regulations.

In addition, the Code states that: "In general, the commission shall have such powers as may be necessary to enable it to fulfill its functions, promote planning or execute the purposes of this Article."

In several counties, the county charters are the source of legal authority for the county planning commissions/boards. In Anne Arundel, Baltimore, Wicomico, Howard, and Harford Counties, and Baltimore City, the charters specify the responsibilities of the planning bodies.

In certain cases, however, planning matters are also outlined elsewhere. Article 66B specifies zoning procedures for Baltimore City, as well as referring to planning in other counties. Montgomery and Prince George's Counties are charter counties, and yet Chapter 780 of the Laws of

CHART 5

SOURCE OF LEGAL AUTHORITY FOR COUNTY PLANNING COMMISSIONS OR BOARDS

COUNTY	AUTHORITY
Allegany	Article 66B
Anne Arundel	Charter
Baltimore City	Charter
Baltimore County	County Code and Charter
Calvert	Article 66B
Caroline	Article 66B
Carroll	Article 66B
Cecil	Article 66B
Charles	Article 66B
Dorchester	Article 66B
Frederick	Article 66B
Garrett	Article 66B
Harford	Charter
Howard	Charter
Kent	Article 66B
Montgomery)	Chapter 780 of 1959
Prince George's)	
Queen Anne's	Article 66B
St. Mary's	Chapter 559, Acts of 1933 as amended by Chapter 808 Acts of 1945
Somerset	Article 66B
Talbot	Article 66B
Washington	Article 66B
Wicomico	Charter
Worcester	Article 66B

Source: Directory of Maryland Planning Agencies, 1973, Department of State Planning.

Maryland 1959 deals with Montgomery and Prince George's Counties planning under the auspices of the bi-county Maryland National Capital Park and Planning Commission (MNCPPC).

Prince George's and Montgomery Counties are in a unique situation since their planning operations are so interrelated with the MNCPPC. Prior to the mid 50's, a single bi-county planning board within MNCPPC did the planning for the bi-county district. However, in 1957, legislation designated separate planning boards for each county.

Currently, the two separate county planning boards and staffs function under the auspices of MNCPPC. However, today, most of the Commission's day-to-day functions are carried out by the two separate county planning boards. The 1957 legislation authorized each county board to be responsible for:

a) Such planning, platting, and zoning functions as are primarily local in scope.

b) Local planning functions, including but not limited to the administration of subdivision regulations, the preparation and adoption of recommendations to the district council with respect to zoning map amendments, and assignment of street names and house numbers.

Although the county planning boards function under the regional MNCPPC umbrella, each county has substantial independence and control over county planning matters. The Montgomery and Prince George's District Councils (which are also the Montgomery and Prince George's County Councils) are each invested with the following responsibilities: approval of the county's planning budget; financing of county planning, and the setting of

a tax rate to finance the MNCPPC. The District Councils (county councils) also approve planning programs including master plans, zoning ordinances and amendments, and subdivision regulations; and appoint, or in the case of Prince George's County, approve members to the county planning boards. This year the Prince George's County Executive and County Council developed a list of planning priorities which the county planning board must adhere to in developing its programs. Therefore, although the county planning boards are within a regional organization, to a substantial extent, each functions as a county agent in regard to local planning matters.

The areas which remain the full MNCPPC's concern include the following:

a) The Bi-County Master Plan.

b) Matters affecting both counties.

c) The investigation of transportation services and the reporting of these findings to the General Assembly.

d) Dealings with other governmental agencies.

5) Planning Activities

The scope of one's planning programs is partially dependent upon the staff and funding that is provided for planning, and the length of time a county has been formally involved in planning. Therefore, it should not be surprising to find that in Maryland, the suburban-urban counties are involved in more aspects of planning and to a greater extent than rural counties.

Certainly, a county with a professional planning staff of 100, a planning budget of $1 million, and a thirty year history of planning should

be capable of developing a more sophisticated, varied and extensive planning program than is a county with one professional planner and a budget of $10,000-$50,000. To illustrate the contrasts between planning programs in urban-surburban/rural counties, a few examples will be presented.

a) Rural Counties

Worcester County - According to a local official, the Planning Commission in Worcester County is very inactive and uncreative. In fact, the Planning Commission must be prodded to hold regular monthly meetings. As a result, there are no on-going programs. The Commission is reactive, not innovative.

In 1962, the county adopted an interim zoning ordinance, and in 1965, the present zoning ordinances were approved. However, to date no comprehensive plan has been adopted by the county council. Recently the county has hired a consultant to resume work on the comprehensive plan and hopefully complete it by December, 1974. Currently, there is no county building code.

St. Mary's County - Considering that the county planning commission had no professional planning staff until 1973, the county is presently quite active in planning. In 1974, the county adopted a comprehensive plan and a zoning ordinance. Currently, the planning activities include developing a capital improvement program, and working with the Navy, Defense Department, General Electric, and other agencies to protect flight patterns from the Patuxent Naval Base. With only one professional planner, however, the county is limited in its capacity to plan.

b) Urban-Suburban Counties

Montgomery - According to a report by the Montgomery County Planning Department within the MNCPPC, until 1973 two thirds of its work effort was expended in the regulatory function and other matters mandated by law (zoning, comprehensive plans, etc.). However, according to the same report, the 1973 program produced a more appropriate balance with a greater emphasis upon general and community planning activity. The program objectives for FY-75 include:

1) Completion of the first comprehensive growth policy.
2) County planning participation in and response to major state and regional initiatives in land use and planning.
3) Completion of a new master plan of transportation.
4) Continuation of the basin-by-basin storm water management effort.
5) Formulation of county land use policies in response to air quality standards.
6) Preliminary work at both county and bi-county levels to produce a new master plan of open space, parks and recreation.
7) Providing a more extensive housing element in growth policy and in community plans.
8) Updating zoning ordinances.
9) New master plans for sections of the county.
10) Completion of Sector Plans and Transit Impact Studies.

In addition to being responsible for land use and community planning, the Montgomery Planning Department within the MNCPPC attempts to

coordinate and assist planning in other county agencies. To facilitate interagency coordination, the planning staff is organized by functional areas that correspond to other county agencies (transportation section, environmental section).

Prince George's County - Although Prince George's County has an expansive planning program as compared to the rural or transitional counties, it still concentrates its efforts on zoning and land use planning. According to a Prince George's planner, the county planning department within MNCPPC is not as involved in program planning as it should be. The official estimated that 50 percent of Prince George's County's professional planners are involved in regulatory matters--zoning and subdivision plats. This contrasts with Montgomery County, where in 1974, 35.8 percent of total man years were devoted to regulatory matters. However, the Sectional Zoning Map Amendment process which was recently approved by the Prince George's County Council may free planners from regulatory matters and permit more general community planning.

Although Prince George's County may concentrate 50 percent of its planners on regulatory matters, it still provides a varied, sophisticated planning program compared to rural counties.

The current FY-74 and 75 planning program for Prince George's County includes:

1) Processing of employment statistics.
2) County-wide industrial land use zoning survey.
3) Public facilities planning.
4) Impact studies of alternate land use plans on transportation facilities.

5) Program for storm water management.

6) Preparation of sectional zoning map amendments.

7) Development Review and Design Programs.

8) Update of Prince George's County portion of the Bi-County General Plan.

In summary, all counties are involved in land-use planning (zoning and comprehensive plans); however, the urban/suburban counties also deal with general community planning. The planning programs in the urban/suburban counties are more sophisticated and varied as well.

B. MUNICIPAL PLANNING

The State of Maryland has 151 municipalities which are, with the exception of the City of Baltimore, located within twenty-one counties. Approximately 75 of the 151 municipalities have planning commissions with approximately four established prior to 1950. An additional 37 municipalities within Montgomery and Prince George's Counties are under the planning and zoning jurisdiction of the Maryland-National Capital Park and Planning Commission (MNCPPC) and the two counties.

According to the 1970 census, there are 41 municipalities with a population greater than 2,500 people. Many of these towns have active planning programs. Nineteen of this number, however, are under the jurisdiction of the Maryland-National Capital Park and Planning Commission and the county governments of Montgomery and Prince George's Counties in planning, zoning and subdivision matters. Of the remaining 22 municipalities

over 2,500 population, nine have their own professional planning staffs. All of these municipalities have adopted comprehensive plans, and zoning and subdivision regulations.

The source of legal authority for the majority of municipal planning commissions is Article 66B of the Annotated Code of Maryland. A few exceptions to this rule do exist, in which case, the source of legal authority is found in the municipal charter. For general information concerning municipalities and their planning commissions, planning boards, or planning departments, refer to Chart 6, page 43.

As previously mentioned only four municipalities (Cumberland, Hagerstown, Frederick, and Easton) had planning commissions established prior to 1950. However, between 1950 and 1973, approximately 72 additional municipalities in the State of Maryland established planning commissions. There were two primary reasons for this development. First, rapid population growth made local officials and the public aware of the need for sensible land use or zoning regulations. Second, the start of the U. S. Department of Housing and Urban Development 701 Program, with its accompanying funds for planning, greatly aided local government in establishing planning commissions with the powers to create and enforce zoning ordinances, subdivision regulations, and comprehensive plans.

Municipal planning commissions can easily be classified as sophisticated, worthwhile bodies, or un-sophisticated paper organizations by examining the following factors: the activities of municipal planning commissions,

CHART 6

MUNICIPAL PLANNING COMMISSION INFORMATION*

MUNICIPALITY	DATE ESTABLISHED	NUMBER OF COMMISSION (BOARD) MEMBERS	NUMBER OF STAFF
Annapolis	February 10, 1960	7	5 (full time) 1 (part-time)
Bel Air	January 26, 1953	5	2
Berlin	April 1, 1963	4	1
Bowie	February, 1968	7	7
Cambridge	July 1, 1960	5	4 (part-time)
Cumberland	June 1, 1943	5	2
Denton	December 5, 1960	5	1
District Heights	(Under MNCPPC)		
Easton	December 16, 1946	5	1
Elkton	February 27, 1960	5	1
Gaithersburg	February 12, 1953	6	3
Hagerstown	November 28, 1949	7	5
La Plata	September 3, 1963	5	5
Laurel	February 17, 1960	5	2
Leonardtown	1967	5	0
Oakland	July 6, 1970	5	1 (part-time)
Ocean City	September 21, 1965	5	3
Pocomoke City	May 9, 1963	5	1 (part-time)
Rockville	October 12, 1956	5	10
St. Michaels	1954	5	3
Salisbury	January 16, 1950	5	10
Thurmont	1962	5	2
Westminster	1967	5	5

Source: Directory of Maryland Planning Agencies, Department of State Planning, 1973.

*Due to space limitations, this list does not include all municipalities that have planning boards.

and municipal planning commission relationships. An additional variable which affects both of the preceding factors to some extent is whether the municipality is located in an urban-suburban or rural county. In other words, the stage of development which a county has reached usually has some direct bearing on the type of municipal planning commission found in that county.

1) Activities of Municipal Planning Commissions

The activities in which a municipal planning commission is involved is closely related to the population of a municipality, as well as the amount of funds the municipality expends on planning activities.

Rockville - (Montgomery County), 1970 population, 41,564. The City of Rockville Planning Commission and staff are currently involved in the following programs:

a) Developing downtown Rockville (identifying and considering outside pressures for downtown development and formulating various options).

b) A 60 percent completed urban renewal project.

c) Impact planning for the METRO rapid rail-bus transit system.

d) Highway widening (a state project expected to be completed in two to three years, and a city interchange which is a ten-year project).

e) Neighborhood plans which hopefully will eventually be incorporated in the comprehensive plan which was updated in 1972.

f) Recodification of zoning ordinances.

g) West End of Rockville Traffic Study and Report.

h) Historic preservation district study.

i) Annual capital improvement program

j) State of the City Report

k) Environmental Impact Report.

Annapolis - (Anne Arundel County), 1970 population, 29,592. The Planning and Zoning Commission of the City of Annapolis currently has the following planning programs underway:

a) Area Land Use/Growth Study.

b) Forest Drive Corridor Study - the focus here is on a strong physical plan to coordinate the development in this area.

c) Annapolis Water Front (Harbor Area) Study.

d) Transportation Study - This involved a two year Annapolis metropolitan area study in conjunction with the State Department of Transportation, the Regional Planning Commission, and Anne Arundel County.

e) Storm Water Management Study.

f) Updating the City comprehensive planning and zoning and subdivision regulations to comply with Article 66B.

La Plata - (Charles County), 1970 population, 1,561. According to a town official the current planning activities of the La Plata Planning Commission are:

a) Developing a new comprehensive plan due for completion in November, 1974.

b) Enforcing zoning ordinances, subdivision regulations, and the Town Housing Code.

c) Annual Capital Improvements Program

d) Town Parking and Traffic Study.

e) Membership in Tri-County Council of Southern Maryland.

Laurel - (Prince George's County), 1970 population, 10,525. Present activities of the City of Laurel Planning Commission are:

a) Updating current rudimentary zoning ordinance.

b) Updating current comprehensive plan.

c) Participation in Quad County/Laurel Study.

d) Participation in County Transportation Study.

Hagerstown - (Washington County), 1970 population, 35,682. The Planning and Zoning Commission of the City of Hagerstown is presently involved in updating its comprehensive plan. This task involves six distinct parts which are as follows: an explanation of the Hagerstown planning process, a circulation study, a land use study, a housing study, a community facilities study, and a central area study. The first four of these six parts have been completed. In addition to the preceding, the Hagerstown Planning and Zoning

Commission is involved in several activities including such things as:

a) A citizen's awareness and involvement project.

b) Historic preservation activities.

c) Appalachian Regional Commission and/or Tri-County Council of Western Maryland membership.

Westminster - (Carroll County), 1970 population, 7,207. Activities of the Planning and Zoning Commission of Westminster are as follows:

a) Ongoing revision of current interim zoning ordinance.

b) Recently completed municipal flood plan.

c) Recently completed revision of comprehensive plan.

d) Ongoing extension to municipal water and sewerage plan.

e) Downtown urban renewal project. This is an on-going project which will take approximately ten years to complete before the entire downtown district is completely rejuvenated (updated). Westminster has hired a consultant to assist in the project, and although no federal or state funds are involved, local private businessmen have immersed themselves in the project.

Cambridge - (Dorchester County), 1970 population, 11,595. The Cambridge Planning Commission deals in matters of zoning, development planning, and subdivision regulations.

Berlin - (Worcester County), 1970 population, 1,595. Pocomoke City (Worcester County), 1970 population, 3,573. St. Michael's - (Talbot County),

1970 population, 1,456. Oakland - (Garrett County, 1970 population, 1,786. Generally, the planning commissions of the four preceding municipalities, as in the case of most Maryland municipalities of similar size, act as zoning and subdivision regulation enforcement boards. Such zoning and subdivision regulations are usually derived from a comprehensive plan developed by such municipalities sometime during the last ten years. The St. Michael's Planning and Zoning Commission, in addition to its zoning and subdivision regulation tasks, acts as a Historical Site Committee. In order to perform this task, it meets once a month to discuss prospective historical sites, and whenever necessary, holds public hearings.

Although the results of actions taken by municipal planning commissions most often have economic and social ramifications, their programs on the surface seem primarily physical in nature. That is, there is very little social or economic planning among municipal planning commissions in Maryland.

Chart 7, pages 49 and 50, presents a view of General Fund Municipal Expenditures. Chart 8, page 51, depicts total Federal 701 Funding to Municipalities over 2,500 population between 1958 and 1973.

2) Municipal Planning Commission Relationships

The relationship a municipal planning commission has with its municipal and county government, as well as its county planning commission is a second important factor in determining whether a municipal planning commission is serving the purpose for which it was created.

The type of relationship which a municipal planning commission has with its municipal elected officials as well as with its county planning commission is a significant factor in determining whether the municipal

CHART 7

GENERAL FUND MUNICIPAL PLANNING EXPENDITURES

MUNICIPALITY	YEAR	TOTAL EXPENDITURES	SALARIES	OTHER OPERATING EXPENSES	CAPITAL OUTLAY
Annapolis	1973	$67,161.70	$54,345.00	$12,357.32	$459.03
	1972	54,344.89	44,004.06	9,418.47	-
Bel Air	1973	1,535.54	-	1,535.54	-
	1972	13,263.53	9,234.87	2,159.04	1,869.62
Berlin	1973	None reported	($100,000 Appropriated)		
	1972	None reported			
Bowie	1973	55,672.00	44,295.00	10,999.00	378.00
	1972	44,231.00	38,119.00	5,570.00	542.00
Cambridge	1973	8,209.00	7,671.23	538.45	-
	1972	10,089.19	10,468.59	379.40	-
Cumberland	1973	6,701.09	4,308.00	2,392.71	-
	1972	12,357.76	5,400.20	7,857.56	-
Denton	1973	None Reported	-	-	-
	1972	None Reported	-	-	-
District Heights	1973	None Reported	($600.00 appropriated)		-
	1972	None Reported			
Easton	1973	716.43	-	716.43	-
	1972	1,706.00	-	1,706.00	-
Elkton	1973	6,152.00	1,925.00	4,227.00	-
	1972	95,679.00	1,697.00	1,183.00	92,799.00
Gaithersburg	1973	43,003.00	33,369.00	9,278.00	356.00
	1972	40,247.00	29,189.00	7,416.00	3,642.00
Hagerstown	1973	27,388.29	22,208.98	3,820.07	1,359.24
	1972	3,724.98	-	3,699.98	25.00

CHART 7 (Cont.)

GENERAL FUND MUNICIPAL PLANNING EXPENDITURES

MUNICIPALITY	YEAR	TOTAL EXPENDITURES	SALARIES	OTHER OPERATING EXPENSES	CAPITAL OUTLAY
La Plata	1973	$ 143.95	-	$ 143.95	-
	1972	81.00	-	81.00	-
Laurel	1973	87,058.35	8,408.61	78,297.86	351.88
	1972	21,910.99	8,650.53	13,112.46	148.00
Leonardtown	1973				
	1972	430.10	-	430.10	-
Oakland	1973	360.00	360.00	-	-
	1972	None Reported	-	-	-
Ocean City	1973	26,560.94	25,460.80	1,100.14	-
	1972	80,243.04	66,238.49	11,079.72	2,924.83
Pocomoke City	1973	34.47	-	34.47	-
	1972	26.90	-	26.90	-
Rockville	1973	95,941.00	88,108.00	7,374.00	459.00
	1972	91,908.62	85,231.60	6,654.59	22.43
St. Michael's	1973	1,754.95	-	1,754.95	-
	1972	None Reported	-	-	-
Salisbury	1973	35,645.74	26,366.14	9,279.60	-
	1972	33,722.99	26,267.95	7,361.02	94.02
Thurmont	1973	1,058.00	-	1,058.00	-
	1972	755.00	-	755.00	-
Westminster	1973	4,539.00	2,427.00	2,112.00	-
	1972	4,159.00	1,441.00	2,538.00	180.00

SOURCE: Detailed Statement of Salaries, Other Operating Expenses and Capital Outlay, Department of Fiscal Services, Division of Fiscal Research, Fiscal Years 1972 and 1973.

CHART 8

FEDERAL 701 FUNDING FOR MUNICIPALITIES
OVER 2,500 POPULATION

MUNICIPALITY	TOTAL FEDERAL 701 FUNDING 1958-1973
Annapolis	$142,596
Bel Air	13,400
Cambridge	79,357
Cumberland	72,245
Easton	12,190
Elkton	14,360
Gaithersburg	3,100
Hagerstown	95,852
Laurel	41,900
Pocomoke City	4,800
Rockville	91,330
Salisbury	39,164

Source: Report to the Study Commission on Intergovernmental Relations in Land Use Regulations, Department of State Planning, July 24, 1973.

planning commission is an effective instrument or not. Generally, if the relationship between a municipal planning commission and the municipal elected officials is one of mutual respect and cooperation, the result will be adequate funding, a most important factor in hiring the qualified staff of consultants necessary to competently conduct desired planning activities. For example, the planning commissions of Rockville and Salisbury have for years enjoyed a friendly rapport with their respective city's elected officials probably because the governing bodies of both cities have usually been interested in planning activities. As a result, the planning commissions of both Rockville and Salisbury have always been adequately funded.

On the other hand, the planning commission of the City of Cambridge does not enjoy a relationship of mutual respect with its City Council. As a result, Cambridge does not have a professional planner in its employment, and it is also a municipality which does not have a comprehensive plan in effect. The City Council rejected the last comprehensive plan proposal in 1971, and as of this date, another proposal has not been made.

Cooperative or joint county-municipal planning agencies which are interdependent on one another should theoretically be a cause of more effective planning for counties and municipalities along with less duplication of effort and funds. Salisbury and Wicomico County, most of the municipalities in Frederick County and Frederick County, itself, and Oakland and Garrett County are examples of such an arrangement. Also, Allegany and Washington Counties are moving in this direction.

There are cases, however, where the preceding axiom does not hold true, specifically in areas where county planning commissions have either not led the way in or provided for enough municipal input in planning activities.[1] The Southern Maryland counties and the Lower Eastern Shore area have often been cited as areas where such examples exist. For example, a La Plata planning official commented that the Charles County Planning Commission is wasteful, has promulgated looser regulations, and obtains less citizen input than does La Plata. For example, La Plata has a stricter housing code than Charles County, plus La Plata has one building inspector, while the entire county only has two inspectors.

Similarly, an Ocean City planning official commented that it has always developed its planning programs with no help at all from Worcester County. Another municipal planning official in Worcester County said that, with the exception of Ocean City, "all of the other planning agencies in Worcester County are reactionary when they should instead be innovative." In other words, planning commissions in Worcester County act only when a crisis situation occurs.

C. REGIONAL PLANNING

The Baltimore and Washington SMSA's have multi-purpose regional planning councils with large professional staffs. Both areas have had plans prepared

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[1] (Also, a financially independent municipality need not necessarily cooperate with the county of its location to advance its planning programs.)

and adopted by regional councils. Also, the Wilmington, Delaware SMSA (includes Cecil County, Maryland) has a small professional staff and is in the process of developing a comprehensive plan. All three metropolitan multi-purpose regional planning agencies have received HUD areawide certification.

Areawide planning in the non-metropolitan regions also exist. Tri-County Council for Western Maryland, Frederick County, and the Tri-County Council for Southern Maryland conform to planning regions delineated by the Department of State Planning and are in the process of obtaining HUD Area Planning Office certification or recertification. The Eastern Shore Counties are presently working toward countywide organization and certification, with the ultimate goal envisioned as two regional organizations serving the upper and lower Eastern Shore. Meanwhile, the counties on the Eastern Shore have organized individual Council of Governments (COG), which consist of policy boards of elected officials.

For additional information on regional government arrangements, refer to the Informational Report on Regionalism, Maryland Commission, on the Functions of Government, March 15, 1974.

IV. PROBLEMS AND ISSUE AREAS

In considering the area of Planning, certain problems and concerns become apparent. The issue areas which will be discussed in this section will be grouped into the following categories: A. Questions of Scope and Responsibilities,

and B. Interrelationship Problems. These categories are closely related and some overlap may occur. However, the groupings may prove useful in dealing with interrelated problems.

A. QUESTIONS OF SCOPE AND RESPONSIBILITIES

1) State Role in Planning

a) Role of DSP as a Mediator and Regulator

In discussing what the role of the State should be, the question arises whether the State should both set minimum standards, and intervene in multi-jurisdictional conflicts. According to several local planners, the State's role should be to prod the localities into action by setting standards and threatening to intervene if the localities fail to meet standards. If this threat exists, presumably, localities would act before state intervention would become necessary. However, to what extent DSP should be involved in establishing local standards remains an open question.

Conflict of interests exists between several municipalities and county planning departments in the State. For example, Annapolis and Gaithersburg both object to the county planner's projection for growth and development for those municipalities. While the counties cannot actually plan within municipalities, counties do plan highways, transit lines and water systems outside the incorporated limits that have a direct impact on growth within the municipalities. To help resolve multi-jurisdictional conflicts, some local planners have suggested that DSP should step in and serve as a mediator. According to the officials, DSP is not to superimpose

a solution, but should facilitate communication and help arrive at a compromise.

Several county planners, however, oppose the idea of DSP intervention in multi-jurisdictional disputes. These planners feel that the basic conflict involves county-city political issues and, therefore, should be settled by local politicians, not an outside third party. Therefore, whether the State Department of Planning can or should serve in this capacity is an issue to consider.

b) Role of DSP As A Clearinghouse

Recently the federal government passed the Federal Housing and Community Development Act of 1974 which will provide block grants directly to localities for development. Since DSP is the A-95 clearinghouse for categorical grants for planning, this new federal legislation may affect DSP. What impact this bill may have on the influence of DSP is still undetermined. Will the localities be able to circumvent DSP in obtaining federal funding for planning? Being involved in the distribution of planning money increases DSP's ability to influence planning activities throughout the State. Therefore, a change in local planning funding could have significant consequences.

c) Role of Local Planners

As was previously mentioned, the scope of local planning varies from county to county and from municipality to municipality. Most local

planners are involved in land use planning, but several jurisdictions expand their scope to include social planning, program planning, and inter-agency coordination of planning activities. Thus, the question arises as to what should be the scope of the local planning commission and staff? What activities fall within the realm of a local planner?

Should all local planning be centralized with the local planning commission and staff doing functional planning for the various functional agencies? Several planners reject this alternative since they feel they do not have the expertise to plan for all departments. Currently the planning commissions' staff may assist agencies with planning, but the agencies still do their own program planning.

Another possibility would be for the professional planning staff to coordinate functional planning and serve as the information center disseminating information concerning planning throughout the jurisdiction. To some extent the Montgomery County planning staff and other planning staffs have become involved in coordinating planning among the various agencies.

Instead of planning for all agencies or serving as a county planning coordinator, perhaps, local planning commissions should confine their activities to physical and land use planning and other matters directly affected by or affecting land use planning. Capital improvement programs, comprehensive plans, subdivision regulations, zoning, and public facilities are just some of the programs that would lie within the realms of the planner. The local planner would also be concerned with social and economic factors, as they relate to physical planning.

In interviewing local planners, this more limited scope of planning was most often endorsed. A Harford County official remarked that with land speculation so intense, the planner is too preoccupied with land use planning

to allow time to branch out into other aspects of planning. Other planners pointed out that since many planners have backgrounds in architecture, design or related fields, their expertise is primarily in land use and physical planning.

B. INTERGOVERNMENTAL PROBLEMS

1) State-County Relations

The attitudes of local planners toward DSP appear to vary throughout the State. Aside from near unanimous criticism of DSP's land use plan (discussed later in this section), most county planners expressed a favorable opinion of the Department of State Planning. On the Eastern Shore, it appears that county planners have a positive view of DSP as a result of their experience with their DSP regional representative. These county planners remarked that they meet regularly with the regional DSP representative and obtain considerable assistance from him. Planners in several counties throughout the State noted that DSP was instrumental in persuading counties to develop master plans. Although Montgomery and Prince George's Counties and Baltimore City indicated general satisfaction with DSP, the county planners in these counties did not elaborate on their county-state interactions.

On the other hand, several county officials in Southern and Western Maryland are quite critical of DSP. A southern Maryland county planner accused DSP of being too sophisticated to relate to the level of rural areas. For instance, the planner mentioned that DSP requested data that required topographic maps that the County did not have and could not afford to produce. Other Southern Maryland planners spoke of the burden that DSP puts on small planning staffs

when they request similar data using different formats. Instead of providing assistance, the planners remarked that DSP primarily comes to the county seeking information.

A Charles County planner also criticized the quality of DSP assistance, and felt that rural counties are slighted. At the same time, an Allegany County planner commented that DSP meddles too much in local planning affairs, particularly in regard to permits. Thus, there are mixed reactions among county planners to the Department of State Planning.

Regardless of whether a planner expressed satisfaction or dissatisfaction with DSP, one comment was frequently made. Most local planners admitted that they have little direct contact with DSP. In fact county planners repeatedly remarked that they have little interaction with DSP unless they approach DSP for federal funds or assistance. According to local planners, DSP seldom goes directly to the county unless it is collecting data or making a request of the county.

2) State-Municipal Relations

Some municipalities seek technical assistance from DSP if they feel their independence would be threatened by going to the counties. On the whole, these municipalities have been satisfied with their dealings with the State. However, Westminster has been waiting six months for DSP to provide the consulting work that the State offered.

In evaluating DSP, many municipal planners reiterated what the county planners said about DSP-local interaction. Unless a municipality goes to DSP seeking federal 701 planning money, many municipalities rarely deal with

DSP. Perhaps, this lack of communication indicates a deficiency on the part of the State and/or the localities. Perhaps, more regular contact would be valuable. At the same time, however, it should be recognized that county planners resent direct municipal-state interaction since the counties feel circumvented.

3) County-County Relations

In many counties, the county planning boards have good working relationships with the county commissioners or councils, and county executives. Most county planners felt the county legislative bodies are supportive of the planners and work closely with them. At the same time, county planners are responsive to the county legislative bodies since these bodies approve the county planning budget and decide zoning cases.

In some counties such as Montgomery and Prince George's, this cooperative relationship exists between the county council and the planners. However, there is considerable tension between the county executive and the county planning board in Montgomery County and to a lesser extent in Prince George's County. Some officials suggested that the Montgomery County Executive is jealous of the county council's relationship with the planning board and feels that planning can only adequately be done within the separate departments. For whatever reason, the County Executive is openly opposed to the county planning board and staff, and is seeking to decentralize planning. Certainly it cannot be a healthy situation to allow this in-fighting to continue. Conflict and duplication in planning will result if the county planning issue is not resolved.

4) County-Municipal Relations

Section III of this paper discussed the various types of county-municipal planning board relationships that exist throughout the State. The relationships range from municipalities planning independently of the counties, to municipalities that allow the county to plan for the incorporated area. With the wide variety in the size and capability of the 151 municipalities in the State, perhaps there isn't one type of county-municipal planning relationship which would be universally acceptable.

However, several county planners remarked that the small municipalities of 2,500 or less would be wise to follow the Frederick County model and permit their county to plan for the incorporated areas. The county planners point out that municipalities of this size have no professional staff, so that planning for the area is only a part-time proposition. Furthermore, professional consultants must be hired for special projects, such as developing comprehensive maps, etc.

Of course, municipalities are jealous of their independence, and Article 66B safeguards this independence by prohibiting the county from planning within incorporated areas without municipal approval. Whether small municipalities can or should allow the county to take over their planning function is an issue to consider.

In some instances, where municipalities insist on planning independently of the county, but have an inadequate planning staff, county personnel are contracted on a part-time basis in lieu of hiring outside consultants. This currently is the situation in Thurmont in Frederick County. According to Thurmont and Frederick County officials, the advantages of this are that it

enhances inter-governmental coordination, and is less costly than hiring outside consultants. It is, perhaps, another alternative to having total municipal independence or a municipal-county merger.

5) Regionalism

Although there are different types of regional bodies, some established by law, others by mutual agreement, there are inherent advantages and disadvantages with regional bodies.

First the regional bodies are valuable in that they provide a broad approach to problem solving. Regional bodies acknowledge that problems overlap jurisdictions. Nearly all the planners interviewed recognize the need for regional bodies in dealing with multi-jurisdictional problems.

At the same time, however, regional bodies are limited in their ability to act since they contain separate jurisdictions with independent power and self-interests. In discussing the different regional planning agencies (COG, RPC, Tri-County Council of Southern Maryland, Tri-County Council of Western Maryland, and MNCPPC) with various planners, conflicting remarks were made.

A Carroll County and Harford County planner commented that they rely heavily upon the RPC for technical advice and assistance. The Harford County planner felt the RPC, unlike the DSP, provides assistance without attempting to influence planning decisions. Both Carroll County and Anne Arundel County planners felt that the services the RPC provide are well worth the thousands of dollars spent by these two counties in membership dues to RPC. Others, however, labeled RPC as spineless and unwilling to address

difficult issues. Conflict between RPC and DSP was also mentioned. Similarily COG was criticized by some for hedging on controversial matters, while others disagreed entirely and felt COG was invaluable.

The Tri-County Council of Southern Maryland was accused of previously superimposing itself on the counties without consulting local jurisdictions. However, a new director has just been hired who is expected to be receptive to local needs and desires. All three county planners are optomistic about the "new" Tri-County Council.

Although MNCPPC once was the sole planner for the bi-county Montgomery-Prince George's district, this regional agency has progressively become more divided into two separate county planning bodies. In fact, since Prince George's County adopted its county charter, considerable conflict and confusion exists over whether planning and zoning procedures should be governed by the county charter or Chapter 780 of the Acts of the General Assembly.

In spite of some dissatisfaction with existing regional bodies, the counties on the Eastern Shore are hoping to organize a regional planning body. Regardless of other weaknesses, the regional bodies do enable localities to receive federal money, obtain technical assistance, and communicate about multi-jurisdictional problems.

6) Intergovernmental Relations Involved in the Formulation of State Development Plans[1]

The formulation of a series of state development plans is a major planning activity which requires interaction among various levels of government.

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[1]This section considers problems related to the DSP and DECD State Develop-Plans. The Land Use Plan discussed in this section is part of the DSP plan, and is not to be confused with the 1974 Land Use Bill.

Therefore, intergovernmental problems in this area will be discussed at some length.

It is widely acknowledged that the State has the mandate to develop a state development plan or a series of plans. In fact, many county directors of planning and local officials recognize a need for some type of comprehensive state plan. However, problems arise in the actual development of the specific plans. The problems pertain to relations between state planning agencies, and between the state and local planning bodies.

a) Relations Between State Planning Agencies

The purpose of a state development or generalized plan is to coordinate planning, and enable decisionmakers to view the overall impact of alternative choices. Therefore, a Generalized Plan should, according to Gordon Cherry, attempt to be comprehensive, and consider social, economic, and physical factors.[1]

In Maryland, however, not one plan, but a series of statewide development plans are being developed by two separate departments. While the Department of State Planning is currently formulating the State Development Plan which consists of a Land Use Plan and Human Services Planning and Coordination Project, the Department of Economic and Community Development is authorized to develop an overall State Economic Development Plan.

Several problems have arisen as a result of this dual arrangement. First, there has been considerable confusion over who has the authority to do economic planning for the State. Article 88C explicitly states that,

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[1] Gordon Cherry, Town Planning in its Social Context, (London: Leonard Hill Press, 1970), p. 42.

the State Development Plan "shall embody the policy recommendations of the Department of State Planning in regard to the economic and physical development of the State." This mandate was given DSP in 1959, but by 1972, DSP still had not produced an overall state plan which included the economic element.

In 1972, the Department of Economic and Community Development acknowledged a need for a state economic development plan, and offered to develop the plan within DECD using federal funds if the Governor approved. Although Article 41 of the Annotated Code did not specifically mandate DECD to develop an overall statewide economic development plan, the Assistant Attorney General broadly interpreted several sections of Article 41 and determined that the project was within the jurisdiction of the DECD. Furthermore, the Assistant Attorney General argued that his interpretation of Article 41 was consistent with the mandate of DSP since Section 1 of Article 88C, which regulates DSP, states, "nothing contained in this Article shall operate in derogation of planning powers conferred upon state departments. . . . by existing state or local laws."

Thus, according to the Assistant Attorney General, DSP is obliged to allow DECD to undertake a statewide economic development plan. The Governor endorsed this view, and encouraged DECD to seek federal money to finance a state economic plan. Ostensively then, the mandate issue was settled in 1972.

However, jurisdictional disputes can leave ill will between agencies which result in a second problem--poor interagency cooperation and communication. If statewide plans which deal with such interrelated subjects

are to be produced separately by DSP and DECD, close cooperation and exchange of data is necessary in the formulative stage in order for the final plans to mesh. Land use affects economic development and vice-versa. Therefore, to do economic, land use, or human resource planning in a vacuum without considering the impact of the other factors would weaken the value of each individual plan.

While some public officials acknowledge that relations between DSP and DECD are improving, they still feel there is insufficient coordination and communication between the two departments. Interagency coordination is a matter of general concern among all agencies, but is of special importance here if conflict and overlap are to be avoided in the formulation of the two plans. Coordination is absolutely imperative if, as some officials hope, the plans are ever to be combined to form one state comprehensive plan. Thus, a critical problem is how to minimize duplication and conflict, and encourage interagency cooperation.[1]

b) Relations Between State and Local Planning Agencies

Since the DECD Overall State Economic Plan and the DSP Human Services Planning and Coordination Project are still in their initial stages of development, it is impossible to judge whether the final plans will contain adequate input. Therefore, this section will focus on the problems involved in incorporating local comment into the DSP Land Use Plan which is scheduled for review in December, 1974.

As mentioned previously, Article 88C prohibits DSP from encroaching upon the planning powers of existing planning bodies, and permits DSP to seek local input in developing state policies. In formulating the state generalized

[1]Since this report was first printed, the Department of State Planning has stated that the DECD economic development plan will be regarded as an element of the State Development Plan.

plan, DSP recognized the need to include local participation.

According to a DSP report, in developing the plan, "the staff from DSP met with the planning staffs from each county, Baltimore City and regional planning bodies during the spring of 1972. . . .At that time, the Department both surveyed existing information and solicited opinions and ideas for what would eventually be accomplished." In addition, a State Planning Coordinating Committee (SPCC) was established to insure continued intergovernmental participation. (See Appendix I, for a list of the members on SPCC.)

In spite of these efforts, most local planning directors remarked that they are far from satisfied with their role in the development of the Land Use Plan. They complained that DSP came to the local planners seeking raw data and general information, but failed to consult the localities concerning recommendations or suggestions. With the Land Use Plan scheduled for completion in December, 1974,[1] most local planning directors are pessimistic that the Land Use Plan will adequately reflect local input.

DSP acknowledges difficulty in obtaining adequate local input concerning the Land Use Plan. The report to the Study Commission on Intergovernmental Relations in Land Use Regulations stated:

> The representatives to the SPCC were to act as liaisons and transmit the information to the appropriate person within each agency since no one person could be expected to be involved or capable of reacting to the wide range of topics discussed. In general, this has been the souce of the greatest dilemma we (DSP) have faced working with the State Planning Coordinating Committee. We are able to transmit, but we cannot be assured that the information or the request will find its way, within the agency, to the appropriate person.

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[1] Since this report was first printed, the completion date has been postponed.

Certainly it is an extremely difficult task to compile a general plan based on local plans and local recommendations, particularly since different localities may suggest conflicting alternatives. On the other hand, if a state plan is formulated without adequate local input, the risk is that localities will reject it, and implementation of the plan will be difficult. Without local cooperation at the outset, the value of the plan, as an operable document to be implemented, is questionable.

As mentioned earlier, in many counties, the director of planners are receptive to the concept of a Land Use Plan. However, they are wary about what DSP is going to produce. The General Assembly, the Governor, and the various levels of government will be the final judge of the December draft of the Land Use Plan. Nonetheless, the question remains whether the localities, which will be directly affected by the Plan, are being given adequate consideration at all stages of plan development.

V. SUMMARY AND PERSPECTIVES

This paper has described the function of planning in the State of Maryland. Problems inherent within the planning function were also discussed. The subject matter is indeed complex as it cuts across all governmental levels and functional areas in both a horizontal, as well as vertical manner. It is for just this reason, however, that planning is a function which must be understood and practiced well.

The following are some intergovernmental questions which have evolved during the research and writing of this paper on the subject of planning. They are in no way meant to be totally inclusive as far as planning questions are concerned.

1. How is the planning function presently viewed by the State and local government, and how should it be viewed?

2. What should be the scope of the planning function on both the state and local levels? How can the state and local levels complement, rather than duplicate, each other in performing the planning function?

3. How will the Federal Housing and Community Development Act of 1974 affect the planning function at both the state and local levels in the State of Maryland?

4. To what extent should the Department of State Planning be involved in establishing (and enforcing) local minimum planning standards? Should

DSP intervene and serve as a mediator in multi-jurisdictional planning disputes?

5. What is the present state of interrelationships between DSP and other state departments? DSP and the counties? DSP and the municipalities? Discuss any improvements which should be made.

6. Should municipalities below a designated population be encouraged to merge their planning staffs and activities with those of their county? Should DSP or the counties provide planning consultant services to municipalities below a designated population?

7. What is the realistic role and impact of regional bodies on the function of planning in the State?

8. What should be the scope of the Department of State Planning's generalized Land Use Plan. How can duplication and conflict be minimized in developing DSP's Generalized Land Use Plan and the Department of Economic and Community Development's Economic Development Plan? Is local input into the State Land Use Plan adequate? How will the plan be implemented?

APPENDIX A

STATE PLANNING COORDINATING COMMITTEE MEMBERSHIP

STATE DEPARTMENTS:

Mr. Don O. Nave
Chief of Fiscal Services
Maryland Department of Public Safety and Correctional Services

Mr. Spencer P. Ellis
Assistant Secretary for Resource Management
Maryland Department of Natural Resources

Mr. John Capper
Division of Planning and Evaluation
Maryland Department of Natural Resources

Dr. Irving Herrick, Jr.
Coordinator of Planning Services
Maryland Department of Education

Mr. William A. Urie
Assistant Secretary
Maryland Department of Licensing and Regulation

Mr. George J. Rose
Director of the Bureau of Field Services
Maryland Department of Employment and Social Services

Mr. Ronald Johnson
Department of Agriculture

Mr. William M. Perkins
Chief, Division of Budget Analysis
Maryland Department of Budget and Fiscal Planning

Mr. Leo Berger
Maryland Department of Personnel

Mr. James S. Sagner
Maryland Department of Transportation

Mr. Larry Saben
Maryland Department of Transportation

Mr. Leonard Albert
Maryland Department of Health and Mental Hygiene

Mr. J. Basil Wisner
Office of the Comptroller

Mr. K. G. Robinson
Maryland Council for Higher Education

Mr. John O'Donnell
Deputy Director
Governor's Commission on Law Enforcement and the Administration of Justice

Dr. Frederick Nevins
Associate Executive Director
Maryland Comprehensive Health Planning Agency

Mr. Leonard Elenowitz
Director, Community Development Administration
Maryland Department of Economic and Community Development

STATE PLANNING COORDINATING COMMITTEE MEMBERSHIP

FEDERAL AGENCIES

Mr. Bruce Caswell
Department of Health, Education and Welfare
Regional Office

Mr. Warren Clayman
Department of Housing and Urban Development

Mr. William Kaplan
Assistant Regional Administrator
Department of Housing and Urban Development

Mr. Robert Duckworth
Assistant Director of Planning and Relocation
Department of Housing and Urban Development

Mr. Frank L. Carlson
Staff Assistant
Office of Regional Planning
Department of the Interior

REGIONAL AGENCIES

Mr. Edward I. Heath
Executive Director
Tri-County Council for Western Maryland

Mr. John S. Hewins
Governmental Relations Coordinator
Maryland-National Capital Park and
Planning Commission

Mr. Edward J. O'Donnell
Director
Wilmington Metropolitan Area Planning
Coordinating Council

Mr. Jacob Kaminsky
Regional Planning Council

Mr. George U. Wickstrom
Director of Program Coordination
Metropolitan Washington Council of
Governments

Dr. John H. Mills
Executive Director
Tri-County Council for Southern
Maryland

STATE PLANNING COORDINATING COMMITTEE MEMBERSHIP

COUNTIES:

Mr. Lawrence E. Nelson
Director, Allegany County Planning and Zoning Commission

Mrs. Marion McCoy
Anne Arundel County Planning and Zoning Officer

Mr. Larry Reich, Director
Baltimore City Planning Department

Mr. Stuart Davis
Baltimore City Planning Department

Mr. Stanley Guild
Baltimore County Director of the Budget

Mr. Lawrence Bowlby
Calvert County Planner

Mr. David Cartes
Caroline County Administrator

Mr. George A. Grier
Carroll County Administrative Assistant

Mr. David M. Rever
Cecil County Planner

Mr. James E. Redmond
Charles County Planning Commission

Mrs. Eleanor Carrico
Charles County Board of Commissioners

Mr. Hobert D. Adams
Dorchester County Planning Commission

Mr. Donald L. Lewis
Frederick County Commissioner
Board of County Commissioners

Mr. W. Marshall Rickert
Garrett County Planning Director

Mr. Kenneth Green
Director of Planning
Harford County Department of Planning and Zoning

COUNTIES (continued)

Mr. Albert K. Wood
Howard County Administrator

Mr. Peter L. Johnston
Kent County Planner

Mr. Hameed Naz
Director, Montgomery County
Office of Economic Research and Planning

Mr. John Hansman, Director
Montgomery County
Office of Planning and Capital Programming

Mr. Edward W. Chen
Prince George's County
Deputy Chief Administrative Office

Mr. John B. Norris, Jr.
St. Mary's County Assistant Engineer

Mr. Charles E. Massey
Somerset County Director of Planning and Zoning

Mr. L. H. Fleming, Chairman
Talbot County Planning and Zoning Commission

Mr. Leroy Burtner
Washington County Planner

Mr. David A. Grier
Vice President
Wicomico County Council

Mr. Harold W. Morris
Worcester County Planning Director

APPENDIX D

INFORMATIONAL REPORT
ON
REGIONALISM

(APPENDICES OF REPORT NOT INCLUDED)

INFORMATIONAL REPORT

ON

REGIONALISM

MARCH 15, 1974

(For Discussion Only)

MARYLAND COMMISSION ON THE FUNCTIONS OF GOVERNMENT

EXECUTIVE BUILDING
140 MAIN STREET
ROOM 301
ANNAPOLIS, MARYLAND 21401

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PREFACE

The voluminous mass of material available on the subject of regional government and regional delivery of services indicates that the concept is a viable one that should be considered by a Commission such as this. Our Commission was created to examine the functions of government performed throughout the State and to identify the various functions as being (1) solely State, (2) solely local, or (3) joint State and local. The research that has gone into this report rests upon the possibility that there are functions which may belong to another level, a regional level, and that almost no function is performed solely at any one level of government, regional or otherwise.

Certain trends provide the framework for this report. First, state and local governments each year become more immeshed in fiscal crises; crises which result in strong pressure for transferring the function of raising revenue upward in the federal system. Second, there is rising interest in decentralizing the decision-making process in governments. Third, the state administrative reorganization movement has seen a resurgence in the past few years and has featured the regrouping and consolidation of agencies and the use of substate regions as prime management devices. The fourth trend is the local government reorganization activity exemplified by commissions in many states, (i. e., Florida, Ohio, Massachusetts to name only a few) which are examining and suggesting changes in the structure and functions of local government units. Finally, there is a continuing interest in the idea of creating

metropolitan governments. Few exist in the country even now, but the idea has long been with us.

The organization of the report is as follows: Chapter I is a discussion of the theory and background of the concept of regionalism. Chapter II considers regionalism at the substate level, including the relationship between the state and local government, state authorized or mandated forms of regionalism, and recent federal approaches to regionalism. Chapter III is a description of the regional arrangements that currently exist within the State of Maryland, including a reference to special districts which may or may not be regional in nature. Chapter IV is a summary of the various options involving regional arrangements that are open to the State of Maryland. The Appendix includes detailed reports of nine principal regional agencies which operate within or across the boundaries of Maryland, in addition to a selected list of federal programs that encourage substate regionalism, plus several other related items.

The purpose of this paper is to provide information on the various regional arrangements that exist within the State of Maryland for general government and delivery of services. It is hoped that the material accumulated will stimulate a careful evaluation of current regional arrangements and the desirability of utilizing this approach.

CHAPTER I

REGIONALISM: DEFINITION, DIMENSIONS

Regionalism is not a new idea, born of recent state or urban problems. It is possible to trace regionalism back to the beginning of the American republic and to earlier historical periods. In spite of this, the idea of regionalism has never achieved a clear-cut definition acceptable to all. Scholars continue to debate terminology without arriving at any general agreement on the precise content of the term.

For our purposes, a definition pertaining only to substate regionalism would be the joining of jurisdictions or portions of jurisdictions into administrative spheres within which certain specified powers of government are exercised. A region can be defined as a civil division which extends across county lines. Such a region may comprise all or part of two or more counties, but the term does not necessarily apply to an area over which there is a government whose jurisdiction coincides with the boundaries of the region. A regionalist is one who holds that there are important distinctions between selected areas and that these distinctions must be taken into account in any successful attempt to understand or to direct the life of such areas.

The term "regionalism" is often used interchangeably with sectionalism, and there has not been much agreement on the use of the latter term either. Sectionalism is currently thought to pertain to a particular section and to suggest an excessive regard for sectional

or local interests. Generally, sectionalism is regarded as tending toward disunity and the strengthening of the parts, while regionalism is associated with increased unity and the idea that the region is a component part of the whole, thus contributing to total integration.

Regionalism may be an essentially transient phenomenon that brings adjacent areas together because of immediate and specific common interests, with ties that are expediential only, as for example in obtaining special federal assistance to overcome problems of economic decline. From this perspective, sectionalism involves arrangements of much greater permanence which persist despite the emergence from time to time of immediate conflicts or divergencies among its components.

There are two basis underlying assumptions on which the concept of regionalism rests: that a large nation of diverse interests is not governed effectively from a central position, and that area governments are able to govern their affairs in a way that is best for local needs. The concept acts as a basis for consolidation and centralization when it integrates units within itself; and as a basis of decentralization when it forms units with the larger systems of administration and control.

Interest in some workable basis of government which will include recognition of regional forces arises from the reality that regions do not often fit into the boundaries of one political jurisdiction. From the standpoint of utilization of natural resources it is obvious that major river systems are almost never confined to the limits of one jurisdiction, and ensuing problems of flood control, power development, and pollution must all be approached from the point of view of an entire area. In the same manner, questions of

economic development, land use planning, air pollution, and poverty alleviation cannot always be confined to geographic lines or administrative units. Like federalism, regionalism has "emerged upon the American intergovernmental scene without the advantage of a sound theoretical underpinning."[1] It has been suggested, however, that it comes into use as federalism itself did, without first being clearly defined or wholly understood.[2]

No discussion of the concept would be complete without a discussion of its various dimensions, of which the most elemental is geographic. In this sense, regions are areas "exhibiting homogeneity in one or more of its aspects, and thus represent an area or spatial generalization."[3]

The basis for the delineation of natural regions are such factors as climate, vegetation, soil or geology. Because they are distinctly recognizable, natural regions have been used in this country as workable units for administration of natural resource policies.

The economic dimension of regionalism is more dynamic in character, according to the Advisory Commission on Intergovernmental Relations (ACIR). The first type is metropolitan in scale, or in the form of clusters of urban areas around large cities which are dominant in the region. Homogenous economic regions, the second type, are normally characterized by relative economic underdevelopment such as is found in Appalachia, by economic specialization such as is found in the industrial Northeast, or the agricultural Midwest, or by diversity of economic activity such as is found in the Atlantic megalopolis or the Rocky Mountain region.

[1] Irving Howards and Edwin A. Gore, Some Notes on Regionalism with Particular Reference to New England, (Amherst, Mass.:Bureau of Government Research, University of Massachusetts), p. 7.

[2] Richard Leach, American Federalism, (New York: W. W. Norton & Co., 1970), p. 233.

[3] National Resources Committee, Regional Factors in National Planning (Washington, D.C.: Government Printing Office, 1935), p. 145.

Social and cultural factors can be powerful components of regionalism, over and above geographic or economic characteristics. It may be that the reality of a region lies in its popular identification or its perception as a cultural unit, and that cultural similarities are the basis for cooperative political action. The continued regional cooperation in the New England area probably has as much basis in cultural attachments as in geographic proximity.

Whereas, geographic, economic and cultural aspects are intrinsic to the concept of regionalism either at the multistate or substate level, certain other factors are extrinsic or applied phenomena. Administrative regionalism, a significant phenomenon both as a federal and a state device, is one of these. Used as mechanisms whereby a government can effectively decentralize its activities and prevent over-centralization, administrative regions are regions only by designation. In spite of the fact that they do not reflect geographic, economic or social realities, they are significant as a reflection of the organization of government power. As noted by ACIR , these patterns affect regionalism in that highly decentralized federal administrative regionalism encourages multistate interests to cluster around federal regional offices, while centralized administration emphasizes the continued traditional pattern of single state lobbying through Washington.[1]

Regional problems have been attacked by single-purpose administration rather than the general political process because this method is less threatening to the traditional levels of government. Regionalism,

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[1] Advisory Commission on Intergovernmental Relations, Multistate Regionalism, (Washington, D. C., U. S. Government Printing Office, 1972). p.4.

as a planning or administrative concept, has little political currency within a political system that recognizes only three levels of government, all of which are multifunctional in nature and rest on strong political and legal bases.[1] From a practical point of view, regionalism poses a number of problems for existing office holders at all levels whether or not it assumes the form of an additional tier of government with its own body of elected officials. Up to the present, most regional experiments have recognized these problems and made the regional instrument an agent of one of the existing governments. Thus, supporters of regionalism as a political phenomena recognize existing differences in political behavior among spatial areas, while noting at the same time that economic and demographic developments have eroded many of the traditional bases of political behavior. They are encouraged to promote the resolution of public policy questions in a regional context.

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[1]Notice is taken of the legal authority of Dillon's Rule which says that local government is the creature of the state and has no authority apart from that granted by the State. Nevertheless, political tradition in the United States has long considered local government an operational level of federalism. See II, Section A for further discussion of this problem.

CHAPTER II

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CHAPTER II

APPLICATIONS OF REGIONALISM AT SUBSTATE LEVEL

A. The State-Local Relationship

The state-local relationship is unitary, in that all local powers are derived from the states. The United States Constitution makes no mention of local government, although the system has traditionally been regarded as a mixture of federal, state and local governments. From a constitutional point of view, the local governments are a part of the state government, created by the State and, in case of conflict, subordinate to it.

Political theorists such as Thomas Jefferson have, in discussing the American experience, enunciated the right of localities to self-government, and there are experiential and ideological foundations for such a belief in the early practices of communities in New England and New York. Contemporary writers such as Roscoe Martin[1] and Robert C. Wood[2] find that the Jeffersonian model of small self-governing rural communities is still widely respected. It is referred to as "grass roots," an image that the ordinary citizen continues to find attractive.

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[1] Grass Roots. University of Alabama Press, 1957

[2] Suburbia. New York, Houghton Mifflin, 1958

To professors and practitioners of law, the idea that local governments can be sovereign in any respect would sound heretical. The authority of the eminent legal encyclopedist, John Forrest Dillon, is invoked to support the legal view that a municipal corporation is a "creature, agent, instrument, or subordinate subdivision" of the State. However, another legal writer, Thomas McIntyre Cooley, held a contrary view, that localities have an inherent right to local self-government. This view, although not now followed, did at one time command limited judicial recognition. The Cooley school asserts that from time immemorial, Anglo-Saxon localities exercised the right of self-government, and that a written constitution is never wholly expressive of a fundamental law; it must be interpreted with reference to people's beliefs. Supporters of this view contend further that the American federal system has three levels, with varying degrees of sovereignty residing at all levels, and that maintenance of this principle is indispensable to the continuance of American liberty and democracy. Judge Cooley said, "The State may mould local institutions according to its views of policy or expedience; but local government is a matter of absolute right, and the State cannot take it away."[1]

In spite of Cooley's persuasive arguments, the prevailing legal opinion is that of Chief Justice Dillon who expounded the view in 1868 that became the famous Dillon Rule:

> Municipal corporations owe their origin to and derive their powers and rights wholly from, the legislature. . . As it creates, so it may destroy. If it may destroy, it may abridge and control. . . Unless there is some constitutional limitation on the right, the legislature might by a

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[1] People v. Draper, 15 N. Y. 108 (1857)

> single act, if we can suppose it capable of so great a folly and so great a wrong, sweep from its existence all of the municipal corporations in the State, and the corporations could not prevent it.[1]

In his subsequent writing, Dillon observed that municipalities may exercise only those powers expressly granted to them by the State or powers necessarily implied from those expressed, or those essential to a city's performance as a corporation. Further, he said, "Any fair reasonable doubt concerning the existence of power is resolved by the courts against the corporation and the power is denied."[2]

The Supreme Court of the United States also follows the Dillon Rule. In Trenton v. New Jersey, the Court declared that "municipalities have no inherent right of self-government which is beyond the legislative control of the state. . . the number, nature and duration of the power conferred upon these corporations . . . rests in the absolute discretion of the state."[3]

Although the legal realities of the subject rest upon the foundations of Dillon and his followers, the political realities are somewhat tempered in that as political theorist Daniel Elazar points out, no state would, because of the political problems, abolish a unit of local government without the consent of its voting residents.[4] Through the device of home rule and various forms of home rule charters, the relationship has become more liberalized in most states. The de facto federalism that Roscoe Martin describes, in which the nation has recognized

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[1] City of Clinton v. The Cedar Rapids and Missouri River Railroad Co., 24 Iowa 455, pp. 462-463.

[2] Commentaries on the Law of Municipal Corporations, 4th Ed., p. 145.

[3] 262 U. S. 182.

[4] American Federalism: A View From the States. New York: Thomas Crowell Co., 1966.

cities as partners in the federal system leading toward a system based upon three levels, has also given more impetus to the devolution of power upon local governments.[1]

In terms of regional governing structures and/or regional delivery of services, the relevance of this discussion is to make note of the fact that the State has legal authority to make such regional changes as it may decide are necessary.

B. Traditional Approaches to Substate Regionalism: State Authorized and/or Mandated

1. Informal Cooperation

Some form of cooperative or informal agreement between two or more local units of government to improve delivery of services on an areawide basis is one of the oldest types of governmental adaptations used in America. Such agreements are neither authorized nor prohibited by law and may be long standing or ad hoc, but the central feature of informality and voluntariness is always the same. It is a popular procedure because functional problems are solved at financial savings while local jurisdictions are able to maintain their local corporate autonomy.

2. Service Contracts, Agreements, Compacts

This process whereby one unit of government agrees to legally undertake the supply of a service to one or more other units of government which pay for the service is an easily enacted regional alternative. The contractual arrangement may also involve the joint conduct by two or more units of government or a particular function or the joint operation

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[1] The Cities and the Federal System. New York: Atherton Press, 1965.

of a particular government facility. Such intergovernmental contracts have been used extensively in the Los Angeles metropolitan area under California laws permitting extensive local option in developing contractual relationships. Many municipalities in Los Angeles County contract for the provision of one or an entire package of services by the county, a notable example being the City of Lakewood, which contracts with Los Angeles County to supply all of its services.

The arrangement is popular because it helps to solve service problems and save money while allowing local communities to retain the ultimate responsibility for decisions about the delivery of services. Like informal cooperation, however, it may alleviate rather than solve a service or financial problem.

The legal device of the compact, usually an interstate approach to regionalism, may be involved in substate regionalism where an interstate metropolitan area is involved. In either case, it is generally a formal agreement under which two or more states and/or local governments undertake mutual obligations.

3. Transfer of Functions.

Moving functions from one government unit to another more adequate in jurisdiction and resources has been done in many areas on a piecemeal basis. Planning, tax assessment and collections, and health and welfare services are major functions that are likely to be transferred. This procedure may encounter opposition from officials of government units who lose control of a particular service or from opponents of

greater centralization, but the alternative may be cessation of a service. Proponents of an urban county approach point out that gradual transfer of functions may serve as a prelude to reorganization of the county as an urban unit of government. If a unit of local government benefits from a series of transfers of functions over the years, it may ultimately become a metropolitan government.

Canada has experimented with the transfer of functions procedure on a large scale in the Province of New Brunswick. Legislative changes authorized in 1966 transferred from the municipalities to the Province, complete responsibility for health services, administration of justice, education, and real property assessment. In addition, the provincial legislature abolished county government in rural areas and divided the province into twelve districts with services provided by the provincial government. This program was designed to revise standards, improve the delivery of services to the people, and distribute the costs more equitably by revamping an outmoded and overextended local government structure.

4. Extraterritorial Jurisdiction or Powers

A legal grant from the State permitting a municipality to act outside of its legal limits for certain fields of action is most commonly used in connection with questions of water supply, sewage disposal, acquisition of parks and forests, and establishment of municipal airports or other transportation facilities.

5. Incorporation and Dis-incorporation

Incorporation is the process whereby a given geographical area is transformed into a legal corporation which is recognized by law as an entity having functions, rights, duties, and liabilities. The legal steps for this move in the past have been relatively simple, but over

the past decade, incorporation has become progressively more difficult. When it is attempted, it may be as a defensive move to prevent annexation by an existing entity, it may be to secure a base for industrial or zoning interests, to qualify for aid from the state, or to meet a felt need for more positive government services.

Dis-incorporation which provides for the elimination of government units is usually done when such a unit fails to perform functions or no longer has the resources to support normal services.

6. Annexation

The legal device of expanding municipal boundaries to incorporate additional territory has historically been used to permit the city to take care of expanding needs of the suburbs. It was the routine method for expansion in the past, but today many municipalities are bounded by other such entities precluding further annexation since a unit cannot normally annex into another corporation. Even if annexation is possible, it may not be feasible if the surrounding areas are different in social or economic characteristics. As a regional approach, it does not overcome existing fragmentation, it simply prevents additional occurrences.

7. Special Districts and Authorities

Local units of government established to administer one or more designated functions are known as special districts. The creation of such entities has been found to be a comparatively easy solution to some of the areawide service problems, but they are normally established, their governing bodies selected, and debt and tax rates authorized, with little publicity or citizen participation. The ACIR says that their use is justified

if they fulfill a need to which general purpose governments do not or cannot respond, but they generally increase the cost of governmental services and obviously increase the number of governmental units.[1]

A report prepared at the University of Texas charges that special districts in the state tend to be inefficient and costly and their activities are obscured from the public eye.[2]

In spite of these criticisms, most states have statutory provisions favoring their creation. Existing local governments do not resist this partial solution of areawide problems as much as a more comprehensive government reorganization which might threaten vested interests. Recent ACIR figures show that there has been a continued growth of traditional special districts since 1962; there are 23,886 special districts, and large operating areawide districts in metropolitan areas are gaining popularity.[3] In the Standard Metropolitan Statistical Areas, the number of such districts rose from 5,410 in 1962 to 7,842 in 1972.[4]

Part of the reason for their continued popularity is that the traditional special district is being recognized as a basis that can be used for a partial solution to the regional delivery of more than one service. The newest concept is to empower districts to perform a number of functions, making them multi-purpose in character, and in effect, converting them into

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[1] The Problem of Special Districts in American Government, May 1964, pp. 74-75.

[2] Woodworth G. Thrombley, Special Districts and Authorities in Texas. (Institute of Public Affairs, 1969).

[3] Advisory Commission on Intergovernmental Relations, Regional Decision Making: New Strategies for Substate Districts, Vol. I of Substate Regionalism and the Federal System. (Washington, D.C., U.S. Government Printing Office, Oct. 1973).

[4] Ibid. p. 25.

some form of general government. Consequently, areawide functions such as mass transportation, water and air pollution control, and port development have increasingly become the responsibilities of large regional special districts, as in Atlanta, Boston, Chicago, New York, St. Louis, San Francisco, Seattle and Washington. In some areas, multifunctional regional special districts have been established: Oregon legislation permits the establishment of multi-functional districts in metropolitan areas; Colorado legislation provides for the formation of service authorities that could provide more than one function on a regional or multicounty basis; and the Municipality of Seattle service district for sewerage has taken over the city and county bus system. In British Columbia, legislation was introduced in 1965 which provided for the establishment of regional districts transcending municipal boundaries and providing more than one activity or function. Twenty-eight such districts have been established.[1]

8. City-County Consolidation

Extending a city's boundaries to make them coterminous with county boundaries is one of the older procedures for creating metropolitan government. Under such a process, one government becomes responsible for exercising all or most governmental powers for the area formally included under the consolidation, thereby replacing one or several of the existing governments. During the 19th century, city-county consolidation was effected by the state legislatures and included four major consolidations: New Orleans, Boston, Philadelphia, and New York. After the early years of the 20th century, municipal reformers wrested from the state legislatures the

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[1]Thomas J. Plunkett, "Structure and Reform of Local Government in Canada," Public Administration Review (Jan.-Feb., 1973) p. 45.

power to make decisions about the structure of local government, but an unforseen side effect of reform requirements for constitutional amendments and/or referendum elections as a basis for restructuring local government was to make the achievement of city-county consolidations very difficult. Since 1907 when Honolulu and Honolulu County were consolidated by the territorial legislature, twenty-one city-county merger proposals have been rejected by voters and numerous other efforts failed to survive the necessary constitutional amendment process or to succeed in securing a revision of state statutes.[1]

The second stage of successful city-county consolidations has occurred since World War II and is related to the growth of the suburbs. Since 1947, twelve consolidated governments have been created; eleven by referendum and one by state legislative action.[2] In 1947 the voters of the City of Baton Rouge and the Parish of East Baton Rouge voted to consolidate most of their governmental functions and establish one governing body for the entire area. The Nashville-Davidson County, Tennessee, consolidation in 1962 and the Jacksonville-Duval County, Florida consolidation in 1967 are well known mergers that were accomplished through the mechanism of citizen referenda. In 1969, there was a change in the pattern of 20th century voter-approved mergers, when the Indiana General Assembly created a consolidated government by merging the City of Indianapolis and Marion County.

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[1] "Seminar: City-County Consolidation," The American County Magazine, (Feb. 1972), p. 8.

[2] Ibid.

Although the level of political feasibility for municipal consolidation is very low, it is a functionally effective process and still receives serious consideration by public officials. At least two states have given it their attention recently. The Maine Legislature created two alternative ways of encouraging consolidation by making it unnecessary to seek legislative approval for consolidation plans. New legislation passed in Virginia provides that a county containing two or more cities of a specific class may be divided into two or more areas which could then be consolidated with the existing cities. Following such action, the cities would then be authorized to offer more complete services in the urbanized parts of the consolidated community.

9. Urban County.

The reallocation of various functions from all municipalities to a county in order to transform it into an areawide government while retaining existing local governments to perform strictly local functions has been implemented only in the Miami Metropolitan Area. The Dade County charter dating from 1957 uses the county as the upper tier of an areawide government which has broad powers in legislation, administration and the delivery of numerous functions. The Metropolitan government was designated the only local government for the unincorporated areas and was given the power to prevent new incorporations, while the twenty-seven municipal corporations within the County continue to perform police, fire and certain other services. Because many metropolitan areas lie within the boundaries of a single county and the need for creation of another unit of government is eliminated, the procedure is appealing. However, few counties have been reorganized sufficiently to perform the responsibilities necessary, and the

question is raised as to precisely which activities should be assigned to the county government. It should be noted that the phrase "urban county" may refer to large counties in highly urbanized areas that deliver urban services but have not gone through any legal re-allocation of functions.

10. Federation

The federated form of areawide government differs from the urban county in that a new level of government is created. The plan attempts to meet the regional problems of a metropolitan area by interjecting a regional government between the municipalities and the higher (state or province) levels of government. Metropolitan Toronto came into being as an areawide government to administer many of the basic functions throughout the area of Toronto and twelve surrounding municipalities. It was established by the Provincial Government of Ontario in 1953 after several years of fruitless negotiations between Toronto and the surrounding suburbs over the exchange of services. In 1967, the thirteen municipalities were consolidated into six municipal governments.

A more recent example of this type of government is the Montreal Urban Community which involved the establishment of a metropolitan or regional level of government over the existing municipal structure of Montreal and twenty-nine other municipal units.

Regional governments, in the form of second-tier regional municipalities, have also been established in Ontario in Ottawa-Carleton, Niagara, York, Muskoka, and three smaller areas.

Another type of federation arrangement exists; it centers around an areawide decision-making organization that is quasi-governmental in nature and acts to condition or influence rather than perform selected

areawide functions. The Metropolitan Council of the seven-county region of Minneapolis-St. Paul has no direct operational responsibilities and no direct local representational base but it does possess clear-cut authority to mediate and, in some cases, resolve functional conflict between and among other areawide units.

C. Recent Approaches to Substate Regionalism - Federally Encouraged

A number of states have long had legislation authorizing local governments to form regional agencies, but recently more states have placed increased emphasis upon and taken new initiative in the development of planning and development agencies throughout both metropolitan and non-metropolitan area. Early state enabling legislation generally left the initiative in forming districts, establishing agencies, or determining geographic boundaries to participating local governments. More recently, states have assumed an active role and assigned a state agency or the Governor the responsibility to divide the state into geographic districts for planning and sometimes administrative purposes.

Added support has been given to this process by recently enacted federal legislation. A number of federal programs either require, encourage, or recognize the use of areawide multijurisdictional agencies and districts to administer programs. Direct planning and administration support funds are available for the general operation of such agencies. Additionally, a number of grant programs either require that functional or comprehensive areawide plans be prepared, or that assisted projects conform to existing plans. The subsequent part of this section will emphasize the federal role in encouraging the growth of areawide agencies and the formation of

areawide districts. The intent here is not to deny the state role in the creation and growth of such entities, but to point to the impact that federal money and guidelines have had on what are essentially sub-state mechanisms.[1]

1. Councils of Government

The creation of areawide councils of government (COGS), in the opinion of some observers, constitute incipient political entities. COGS are a new form of institutionalized regional cooperation that originated through local iniative in the metropolitan areas but are now found in both urban and rural areas alike. The Councils were created for several reasons, the most important being the belief that cooperative action was necessary to deal with areawide problems, and the fear that local units might lose ground to metropolitan governments. The councils exemplify the act of government officials coming together on a voluntary basis, rather than each being a government unto itself.

Employed for the first time in the 1950's in the Detroit area, the organizations were slow to multiply. As of 1965, only nine COGS were in operation in metropolitan areas. Since then, the number of such organizations has rapidly increased, mainly because of federal incentive. In 1965, the Section 701 Planning Assistance provision of the 1954 Housing Act was amended to make COG's eligible for federal funds for various activities. The following year, Section 204 of the Demonstration Cities and Metropolitan Development Act stipulated that all federal grant and loan applications for specified projects must be submitted for review to an areawide agency that

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[1]It should be noted that annual reports of ACIR keep abreast of state activities along these lines. For example, the 1970 Annual Report states that the Texas Legislature has designated regional planning commissions as political subdivisions of the state; Ohio has expanded the powers of regional planning commissions and authorized them to provide local planning assistance and to form joint planning councils with other regions; and Maine authorized the establishment of regional councils which may perform either in an advisory or decision-making role, pp. 22-24.

performs metropolitan or regional planning for the area in which the assistance would be used. COGs were one type of agency authorized to carry out this review function.

By 1972, there were over 250 COGs. Typically, the members of a COG are officials of cities and counties, although occasionally other local governments such as school and special districts, the state government, and even private citizens representing civic organizations are included. Because the judgments of COGs are simply recommendations, such judgments can only be effectuated by persuasion, an adequate method on "soft" questions such as transportation or environment, but often ineffective in addressing the "hard" questions such as social problems.

2. Regional Planning Commissions

The term Regional Planning Commission (RPC) is generally applied to public agencies with a multijurisdictional basis. Two or more counties, municipalities, a combination of counties and municipalities, or a city and county jointly may be included. The majority of such organizations are established by the state or by action of local units under state enabling acts. The provisions regarding size and membership vary widely, but their members are usually citizens appointed to represent local units of government rather than government officials. Some serve areas coterminous with the Standard Metropolitan Statistical Area, while some have territorial jurisdiction either of greater or lesser geographic scope, and a few cross state lines, such as the permanent committee on regional planning set up by Delaware, New Jersey and Pennsylvania.

Because only a minority of the agencies possess the power to levy taxes or make compulsory assessments on member governments, most rely heavily on voluntary contributions of their constituent units, on federal grants, and

to a lesser degree on state grants. There were some RPC's earlier, but a rather steady growth in the number of RPC's followed passage of the 1954 Housing Act in which Section 701 authorized federal grants to be channeled through the states to communities for direct planning. The last decade has witnessed a large increase in the number of such regional commissions serving a multiciplicity of governments throughout urban complexes. Many standard Metropolitan Statistical Areas have utilized this type of agency because of the requirements of the various federal assistance programs such as the amendments to the Housing Act and the Demonstration Cities Act.

Like the COG's, however, they may have only the power of education and persuasion to secure implementation of their plans. It is hard to say yet whether the development of areawide planning through such organizations will act as a stimulus to cooperative action by local units as the realities of areawide problems come into focus and as a framework is provided for the action, or whether such planning commissions will remain relatively helpless.

3. Development Districts

The Appalachian Regional Commission's local development districts and the Economic Development Administration's economic development districts have the broadest focus of any of the federally encouraged or required areawide agencies. Both types of districts are a result of the area redevelopment movement of the late 1950's which came about in response to unemployment in depressed areas. The Area Redevelopment Act of 1961 established the Area Redevelopment Administration (ARA) to give aid to depressed areas. The ARA designated more than 1,000 counties in the United States as depressed areas within its first year.[1] For various reasons,

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[1] Institute for Rural America, Multi-Jurisdictional Area Development (Lexington, Ky.: Spindletop Research, 1967), p. 28.

including over-zealous designation of counties as depressed areas, and limited financial resources, ARA is acknowledged to have had only limited results After the law expired in 1965, Congress passed the Public Works and Economic Development Act of 1965 which created the Economic Development Administration. The general purpose of the new program was to support multicounty districts known as Economic Development Districts and encourage their development capability so as to stimulate substantial investments in facilities and accelerated social and economic growth.

Under separate legislation entitled the Appalachian Regional Development Act of 1965, Congress created the Appalachian Regional Commission which called for multicounty organizations known as Local Development Districts. Both types of development districts raise similar issues, beginning with the question of how to align districts boundaries to meet local needs while at the same time functioning within the federal government's administrative framework. Other questions concern the conflict between fragmentation and coordination, the question of whether or not activities of areawide organizations constitute governmental functions, how to achieve areawide planning, coordination, and implementation, the degree of authority regional organizations should possess, representation and voting within the organizations, and their popularity.

4. Project Notification and Review Process (A-95)

The clearest federal acknowledgement to date of the problems of duplication, lack of conformance, and overlapping among districts

was embodied in Bureau of the Budget Circular No. A-80 issued in 1967 and subsequently incorporated in Circular No. A-95 of 1969. The Circular directs federal agencies to adopt measures designed to encourage the states to exercise leadership in delineating and establishing a system of planning and development districts which can provide a consistent geographic base for the coordination of federal, state, and local development districts. Federal agencies are directed to provide an opportunity for the Governors to review any planning and development district under any federal program prior to its approval.

One of the foundations for the procedural requirements of A-95 is Section 204 of the Demonstration Cities Act calling for review by an areawide planning agency. Sections 401(b) and 401(c) of the Intergovernmental Cooperation Act are directed respectively to (1) regularizing evaluation and review procedures pertaining to federal programs with areawide impact, (2) considering national,state, regional and local viewpoints during the planning process, and (3) seeking congruence between national and local objectives during the planning process.

The use of A-95 procedures is considered to represent a powerful device for affecting the distribution of resources in a region. In program scope and in terms of dollars, the A-95 procedure is more important than most of the other means of affecting the areawide distribution of resources.

5. Federal Functional Programs Encouraging Substate Regionalism.

The fact that federal grant-in-aid programs have grown tremendously in recent years is not news to anyone. But with this general growth of

federal aid has come a rapid increase in the number of federal programs that take an areawide approach to community problems. In this section, we have seen that the areawide approach began primarily with urban programs with a metropolitan orientation, but they are currently being directed toward both metropolitan and nonmetropolitan areawide needs as they grow in number and significance across the country. There are in addition to the federal areawide programs described already, at least twenty more which can be pinpointed, involving nine different federal agencies.

TABLE II - 1 Federal Areawide Programs[1]

NAME OF PROGRAM	FED AGENCY	YEAR OF ENACTMENT OR MAJOR AMEND	FUNDING (MILLIONS)
Air Pollution Control	EPA	1967	$ 42.9
Airport Systems Planning	DOT/FAA	1970	15.0
Areawide Comprehensive Health Planning	HEW	1966/1971	13.2
Areawide Waste Treatment	EPA	1972	5,050.0
Law Enforcement Planning	Justice/LEAA	1968/1970	14.0
Manpower Planning	Labor	1968	17.6
Open Space	HUD	1961	100.0
Regional Medical Program	HEW	1965	140.7
Resource Conservation and Development	USDA/SCS	1970/1972	20.9
Solid Waste Planning	EPA	1965	3.1
Urban Mass Transportation	DOT/UMTA	1964/1970	535.0
Urban Transportation	DOT/FHWA	1962/1970	1,506.1
Water & Sewer Facilities	HUD	1965	200.0
Water & Sewer Planning for Rural Communities	USDA/FHA	1965/1972	2.0
Water & Waste Disposal Systems for Rural Communities	USDA/FHA	1965/1972	40.4
Water Quality Management Planning	EPA	1970/1972	5.4

[1] The Table is extracted from ACIR's Regional Decision-Making Vol. I of Substate Regionalism and the Federal System, (D.C. U.S. Govt. Printing Office, 1973) p. 169-170. For a description of the various programs, refer to Appendix H.

CHAPTER III

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CHAPTER III

Applications of Regionalism in Maryland

A. The Constitution and the Constitutional Convention

The Maryland Constitution does not specifically provide for such traditional approachesto substate regionalism as informal cooperation, service contracts, transfer of functions, special districts, city-county consolidation or federation. It does authorize the formation of municipal corporations (Article XI-E, Sections 1-6), extraterritorial jurisdiction for the City of Baltimore (Art. XI-D, Sects. 1, 2) excluding Howard County (Sect. 3), and the formation of new counties (Art. XIII, Sects. 1-6). Further, there is authorization for districting and apportionment for the purpose of electing members of the State House of Delegates and Senate (Art. III, Sects. 3-5), and it stipulates the division of the state into eight judicial circuits for circuit courts (Art. IV, Sect. 19), and the division of the state into districts for district courts (Art. IV, Sect. 41 B). The only regional agency mentioned explicitly is the Washington Suburban Sanitary Commission which is authorized to condemn property if needed for water supply, sewerage and drainage systems (Art. III, Sect. 40 C).

During the course of the proceedings of the Constitutional Convention of 1967-1968, various delegate proposals dealt with regional questions. The Constitution that was adopted by the Convention included in Article 7, "Local Government", a provision for the establishment of counties (7.01), a prohibition against the merging or dissolution of existing municipal corporations without their consent (7.05), and a provision for the establishment of new municipal corporations by counties (7.06).

Any unit of local government would have been allowed to cooperate with any other unit of government, including the federal or state government

for the exercise of any of its powers or functions, according to Article 9, Sect. 9.09 on "General Provisions."

Also in Article 7 were two sections on multicounty government units which had no comparable provision in the Constitution of 1867. Section 7.03 defined multicounty units and authorized their establishment and dissolution by the General Assembly. Such units were granted authority in Section 7.09 to impose and collect service charges, to borrow money and to collect taxes imposed by the General Assembly or by a popularly elected representative local government.

There does not appear to have been too much argument in the general Convention sessions over "regionalism"; in the main, because most of these arguments were threshed out in the Local Government Committee. Some members of the Committee had wished to push or promote regional government, and an initial Committee draft had emphasized it, but there was opposition to this approach. As the section was written, it permitted, but did not force or encourage, regional forms of government. The actual statement in the final version of the proposed Constitution is not a great deal different from existing statutes. The section did spell out additional details on finances and fiscal restraints. It appears that there would have been more controls on regional operations than are now found in statute.

It has been said that one of the reasons for the defeat of the proposed Constitution was the "regionalism" of the document. Many interested observers do not give this view much support, for they feel that there were more important reasons for the Constitution's defeat. One observer noted, however, that there did exist a very real concern in the counties surrounding Baltimore City about any regional moves on the part of the City, a concern

dating back to the Curtis Bay annexation. There has been no attempt to propose legislation or constitutional amendments for regional approaches based on the contents of the 1968 proposed Constitution.

B. The Annotated Code and Procedural Techniques

1. Extraterritorial Powers

Extraterritorial powers are extended to municipalities for specific purposes: to locate a penal institution or place of detention outside its corporate limits (Art. 23A, Sect. 8A); to acquire property for water supply and sewerage systems within or outside of the corporate limits (Art. 43, Sect. 410); or to extend its water or sewerage systems beyond its corporate limits (Art. 23B, Sect. 81).

2. Contracts and Agreements

Contracts and agreements are authorized for municipalities to render specific services and forms of assistance to other political subdivisions (Art. 23A, Sect. 8C). Authorization is given to municipalities to enter into contracts and agreements to obtain water or dispose of sewage and refuse (Art. 43, Sect. 423, Art. 23B, Sect. 89, Art. 25J, Sect. 14A). Counties are empowered to enter into agreements over drainage associations and lands (Art. 25, Sect. 52, 54), the establishment of regional detention centers (Art. 27, Sect. 705), and the creation of community health programs (Art. 43, Sect. 1J). Municipalities may participate in areawide programs in zoning and planning (Art. 66B, Sect. 3). The Secretary of Natural Resources is directed to enter into intergovernmental agreements with other states for preservation of the optimal status of the Chesapeake Bay (Art. 66C, Sect. 2). Also, all counties and municipalities are authorized to participate in federal

projects and executive contracts and agreements with the United States or an agency thereof (Art 96, Sect. 49).

3. Compacts

There are twenty-two interstate compacts listed in the Code. Of these, six set up some form of regulatory commission with a concern for a region or segment of the State. The Washington Metropolitan Area Transit Regulation Compact enacted in 1958 (Art. 41, Sects. 267-317) establishes a joint agency for the regulation of transportation utilities in the Washington Metropolitan Area, which includes Montgomery and Prince George's Counties in Maryland. The Washington Metropolitan Area Transit Authority Compact enacted in 1965 (Art. 41, Sects. 317-1 to 317-86) was created by adding a section to the Washington Metropolitan Area Transit Regulation Compact. The agreement creates a commission with authority to plan, develop and operate rapid rail transit within the Washington Metropolitan Area Transit Zone which includes the same two Washington suburban counties in Maryland.

Three of the other four compacts pertain to the Potomac River Basin and general area, and the fourth applies to the Susquehanna River Basin.

4. Incorporation

Incorporation of an area requires 300 persons in residence and a petition by 20 percent of the voters and at least 25 percent of local property owners. The act must have the approval of the governing board of the area county followed by a special election requiring a majority vote in approval of the realignment (Art. 23 A, Sects. 20-30). There are currently 151 municipalities

in the State including Baltimore City; of the State's 23 counties, eight contain no more than four incorporated municipalities (Anne Arundel, Calvert, Charles, Harford, St. Mary's Somerset, Talbot and Worcester) and two contain none (Baltimore County and Howard). Prior to the Municipal Home Rule Amendment (Art. XIII A) which took effect in 1954, the authority to approve or deny incorporation rested exclusively with the General Assembly. There have been no incorporations in the State since 1954. In 1953, Broadview (Dorchester County), Rosemont (Frederick County), New Carrollton (Prince George's County), and Queen Anne (Queen Anne's County) were incorporated.

A municipality can dis-incorporate in two ways (Art. 23A, Sects. 41-43). First, if the municipality fails for three successive years to file a financial report with the State, it is considered inactive. Secondly, if 20 percent of the residents petition for a referendum, and a majority vote their approval, a municipality can cease to exist.

5. Annexation

Annexation is the method by which a municipality may enlarge its corporate boundaries. All municipal annexation in Maryland could be accomplished prior to 1955 only through specific legislative authorization. No general procedures for annexation existed in law; each proposal which was approved required separate consideration and enactment. In 1955 a substantial change in the annexation procedures was instituted with the enactment of the first general annexation provision in Maryland (Art. 23A, Sect. 19). Prior and specific legislative authorization is no longer required nor allowed. Instead, the successful completion of an annexation proposal depends upon local initiative and consent.

Specifically, the Code says that a proposal to extend municipal boundaries may be initiated either by the municipal governing body or by petition of those residing in and owning properties in the area to be annexed. The proposal must have the written consent of at least 25 percent of those residing in the proposed area and registered to vote in county elections, along with the written consent of those owning not less than 25 percent of the assessed valuation of real property in the area. If these requirements are met, the municipal governing body must then publish notice of the proposal, hold public hearings, and finally enact the proposal. During the 45 days which must pass before it becomes effective, the proposal can be petitioned to referendum by either 20 percent of those within the municipality or 20 percent of those living in the proposed area. The boundary change will become effective only if a majority of those petitioning the question approve.

Since 1955, the primary characteristic of successful annexations has been the smallness of the areas annexed. On the average, less than one quarter square mile of land has been acquired by municipalities with each annexation since then.

Maryland has no examples of city-county consolidation. In numerous instances, however the county has become a major program unit, for example, Baltimore, Anne Arundel, Howard, Montgomery and Prince George's Counties. In some instances, the county's role is concurrent and complementary to that of major municipalities, with the county providing such services as water, and sewerage removal in areas not already served by municipalities. In two of the urban counties, Baltimore and Howard, the absence of incorporated municipalities has required the county government to assume full responsibility for urban planning and services.

C. Special Districts and Authorities[1]

The statutes authorize the creation of a variety of special districts of a functional nature; that is, Code authorizations are in the form of specified functions or services rather than a general mandate to establish any such districts that a unit of local government desires. However, the number and variety of special districts is much larger than any other unit of local government. As noted in another report, Maryland has one economic development district and one local development district. The economic development district consists of the nine Maryland Eastern Shore Counties, three counties in Delaware and two in Virginia; the coordinating body is the Delmarva Advisory Council discussed in a later section of this study. The local development district which operates under the Appalachian Regional Commission includes Washington, Allegany and Garrett Counties and is administered by the Tri-County Council for Western Maryland. Excluding all district arrangements that are a direct result of federal programs still leaves for consideration state district arrangements, county districts, and districts within municipal boundaries, such as the historic districts.

1. State Administrative Districts

Various departments of the State utilize regions or districts in the performance of their duties (see Table III-1). The Code designates Frederick County as a region of the State to be used as such by all state departments, agencies and instrumentalities (Art. 24, Sect. 221). The Department of State Planning has divided the State into six planning districts plus Frederick County:

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[1]Special districts are included within the scope of this report because many of them are regions comprising all or part of two or more counties. However, once the subject of such districts is interjected, consistency requires that there be some mention of the varieties that exist within the state. At the same time, it should be noted that not all special districts are regional in character, according to the definition given in Chapter 1.

TABLE III-1 - SPECIAL DISTRICTS INCLUDING ONE OR MORE COUNTIES

DESIGNATING AGENCY	TYPE OF DISTRICT	NUMBER	AREA
U. S. Economic Development Administration	Economic development District	1	Nine Eastern Shore Counties
U. S. Appalachian Regional Commission	Local development district	1	Washington, Allegany, Garrett
State Department of Planning	Planning districts	7	Frederick County, Western Maryland, Southern Maryland, Upper Eastern Shore, Lower Eastern Shore, Baltimore Area Suburban Washington[1]
State Department of Natural Resources (Wildlife Administration, Forest Service Extension Service)	Regional Districts	4	Western, Central, Southern and Eastern Maryland
State Department of Natural Resourses (MES)	Watershed areas for water quality management planning	18	Lower Susquehanna, Coastal, Pocomoke, Nanticoke, Choptank, Chester, Elk, Bush, Gunpowder, Patapsco, West Chesapeake, Patuxent, Lower Potomac, Washington, Metropolitan, Middle Potomac, Upper Potomac North Branch Potomac, Youghiogeny
	Solid waste management planning regions	6	Same as State Planning
State Department of Health	Air quality control areas	6	Western Maryland, Southern Maryland, Eastern Shore, Baltimore Metropolitan, Central Maryland, Washington Metropolitan

1 See Chapter IV for diagrams showing various regional divisions of State

(1) Western Maryland Region (Garrett, Allegany and Washington) with the Tri-County Council of Western Maryland as the multi-functional regional planning agency (see p. 169); (2) Southern Maryland (Calvert, Charles and St. Mary's) where the regional agency is the Tri-County Council of Southern Maryland (see p.145); (3) Upper Eastern Shore (Cecil, Kent, Queen Anne's, Talbot and Caroline) and (4) Lower Eastern Shore (Dorchester, Wicomico, Worcester, and Somerset) with the Delmarva Advisory Council as the only multi-functional planning agency for the whole area, (see p.225);(5) Baltimore Area (Baltimore City, Baltimore, Howard, Harford, Carroll, and Anne Arundel) with the Regional Planning Council as the planning organization for the region (see p.154); and Surburban Washington (Montgomery and Prince George's) with the Maryland-National Capital Park and Planning Commission established as the planning organization for the region (see p. 115).

The Department of State Planning established these regions because it coordinates planning of health, highways, air and water quality, and other areas of importance at the regional level. In delineating the regions, certain guidelines were used in that each region respects county boundaries, and distinct physical features such as the Chesapeake Bay were considered.

The Department of Natural Resources makes frequent use of a regional format in administering many of the departmental programs. The Wildlife Administration is administered by regional managers on a four-region basis: Western, Central, Southern, and Eastern. The Forest Service has a chain of command from the Director to a regional forester in each of the same four regions. In addition, the Forest Service authorizes the establishment of forest conservancy districts which are based on county lines, and are supervised by five-member boards nominated by the local area and appointed by the state agency. The

Extension Service is largely a field operation with an extension agent responsible for each of the same four regions mentioned above. It's regional offices are located in La Vale, Laurel, Bel Air and Salisbury.

The Maryland Environmental Service (MES) was established in 1970 within the Department of Natural Resources. For purposes of solid waste management planning, MES uses service regions which are the same planning regions designated by the Department of State Planning. For water quality management planning, MES uses eighteen sub-basins designated by the Water Resources Administration, which has the enforcement authority in water quality management.[1]

Watershed areas are an administrative arrangement used by the Department of Natural Resources in its work with the federal government; there are currently eighteen major watershed areas, and over 160 minor watershed areas. The most widespread are the Patuxent River watershed areas which are found in Howard, Montgomery, Prince George's, Anne Arundel, Calvert, Charles and St. Mary's Counties (Art. 66C, see 411A), However public watershed associations may be established by the county governing body on petition of landowners and after public hearing. They are authorized to issue bonds and levy assessments.

The Department of Health also utilizes regional arrangements in its responsibility for the purity of air resources. The state is divided, for this purpose, into six separate air quality control areas: (1) Baltimore

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[1]For additional information on the Maryland Environmental Service, refer to pages 24-29 of the Information on the Functional Area of Natural Resources, April 19, 1973; Also, Informational Report on Water and Sewerage, October 19, 1973, pages 2-5.

Metropolitan area, (2) Central Maryland area, (3) Washington Metropolitan area, (4) Western Maryland area, (5) Southern Maryland area, and (6) the Eastern Shore area.

2. Functional Districts (See Table III-2)

Drainage districts, associations, and ditches may be established by the county government on petition of the landowners (Art. 24, Sects. 97-122). There are currently 78 in the State: Anne Arundel, 8; Caroline County, 44; Cecil County, 1 (identified as a watershed association); Charles County, 1 (watershed association); Dorchester County, 2; Garrett County, 1 (watershed association); Harford County, 1 (watershed association); Washington County, 1 (watershed association); Wicomico County, 9; and Worcester County, 10.

Sanitary or metropolitan commissions are provided for in Art. 43, Sects. 645-674 of the Annotated Code. Each has a governing body, appointed by the county government and is authorized to incur bonded indebtedness, levy taxes, and impose charges for services. There are seventeen such Commissions in the State, including Washington Suburban Sanitary Commission which serves Montgomery and Prince George's Counties and is described at length in the Appendix. Sanitary districts established within these commissions are classed as subordinate agencies of the commissions.[1]

Soil conservation districts are created by the State Soil Conservation Committee upon the petition of the local land users. There is one for each

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[1]For additional information, see the Informational Report on Water and Sewerage, October 19, 1973, pp. 43-46.

TABLE III - 2 - SPECIAL DISTRICTS WITHIN COUNTIES

COUNTY	TYPE OF DISTRICT					
	DRAINAGE	SANITARY	SOIL CONS.	SHORE EROSION	SPECIAL TAX	HISTORIC
Allegany	0	2	1	0	11	0
Anne Arundel	8	1	1	14	17	1 (In Annapolis)
Baltimore	0	1	1	0	0	1
Calvert	0	1	1	0	0	0
Caroline	44	0	1	0	0	0
Carroll	0	1	1	0	0	1
Cecil	1	0	1	0	0	0
Charles	1	1	1	0	0	0
Dorchester	2	0	1	0	0	0
Frederick	0	1	2	0	0	1
Garrett	1	1	1	0	0	0
Harford	1	1	1	0	0	0
Howard	0	1	1	0	1	0
Kent	0	1	1	0	0	1 (in Chestertown)
Montgomery	0	) 1	1	0	16	1
Prince George's	0	)	1	0	0	0
Queen Anne's	0	0	1	0	0	0
St. Mary's	0	1	1	1	1	3
Somerset	0	1	1	0	0	0
Talbot	0	1	1	0	0	0
Washington	1	1	1	0	0	0
Wicomico	9	1	1	0	0	0
Worcester	10	1	1	0	0	0
Total	78	17	24	15	46	14[1]

[1]To get total, five in Baltimore City must be added.

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county except for Frederick which is divided into the Frederick Soil Conservation District and the Catoctin District. A district so formed is governed by a board of supervisors, one member appointed by the county governing body and four members appointed by the state committee. The districts further the application of conservation measures for lands in Maryland in order to retard erosion and advance soil and water conservation. They may accept gifts or contributions from the state or the federal government and require contributions from landowners for services performed.[1]

Shore erosion control districts can be established in any one or more counties bordering on a body of natural or artificial waters in the State (Art. 25, Sects. 167A -167E, Art. 66C, Sects. 756-758B), by petition of individuals to the county governing board. The board submits the petition to the State, and upon the State's approval, the County establishes it. At the present time, such districts exist in Anne Arundel County and in St. Mary's, but there were approximately eight applications from other county governing boards last summer to the Department of Natural Resources. The State had no dealing with the districts until the revolving loan fund was set up in 1971 under which the State provides interest-free loan for construction for 25 years and assists with engineering and design services at no cost (Art. 66B of the Code; Chapt. 245, Acts of 1970; Chapt. 257, Acts of 1971; Chapt. 524, Chapt. 680, Acts of 1972). Fourteen districts of this type exist in Anne Arundel County: Arundel-on-the Bay, Bay Ridge, Cedarhurst, Fair Haven, Gibson Island, Idlewilde, Mason's Beach,

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[1] Ibid., pp. 9-11.

Riviera Beach, Franklin Manor, North Beach, Tydings on the Bay, Columbia Beach, Fairview, and Cape Ann. These are a type of special tax district wherein the civic association makes policy and submits bills for services performed to the county; the county collects the special taxes paid over and above normal county rate and pays bills submitted by the civic bodies.

Special local taxing districts are established for purposes of providing such services as police protection, road maintenance, parking facilities, pedestrian malls, or local club houses (Art 23A, Sect. 44). In special tax districts, additional tax money is collected within the district area and is returned to the district which pays its own bills for special services maintained under the conditions of the district. There are 46 special taxing districts within the State: Anne Arundel County has 17 (Woodland Beach, Selby on the Bay, Epping Forest, Herald Harbor, Oyster Harbor, Annapolis Roads, Long Point, Hillsmere Shores, Gibson Island, Steedman Point, Owing's Beach, Shoreham Beach, Crofton, Venice Beach, Bay Highlands, Columbia Beach and Highland Beach); Howard County, 1 (Columbia Association); St. Mary's County, one (fire district); Allegany County, 11, of which three are designated as public safety areas (Bedford Road Volunteer Fire Company, LaVale Volunteer Rescue Squad, and LaVale Volunteer Fire Department, Inc.), and all the rest as street lighting (Bel Air, Bowling Green, Robert's Place, Cresaptown Civic Improvement, Ellerslie, McCoole, Mount Savage, and Potomac Park Addition); Montgomery County has 16, of which seven are fire areas (Laytonsville, Rockville, Damascus, Upper Montgomery, Gaithersburg, Kensington, and Consolidated), and the others are geographically designated special taxing areas which render varying kinds of municipal services (Friendship Heights and the Hills,

Drummond, Oakmont, Chevy Chase Section 3, Chevy Chase Section 5, Martin's Addition to Chevy Chase, North Chevy Chase, Chevy Chase View, and Battery Park).

In order to safeguard their heritage, counties and municipalities have the power to establish, define and preserve districts deemed of historic or architectural value (Art. 66B, Sects. 801-815). There are 14 historic districts of which five are in Baltimore City: Fells Point, Federal Hill, Bolton Hill, Mount Vernon, and Dickeyville; three are in St. Mary's County: Saint Clements Island, and Saint Francis Xavier Church, and Newtown Manor House. In addition, there are the Lutherville district, Baltimore County; Catoctin Furnace, Frederick County; Union Mills Homestead, Carroll County; National Park Seminary, Montgomery County; plus the Annapolis and the Chestertown districts within those municipalities.

According to the Unites States Census Bureau's Local Governments Report, there are numerous other types of special districts existing within the counties, such as Montgomery County's six recreation districts, Prince George's County's special improvements districts, the Silver Spring Business District of Montgomery County, and the Wicomico Urban Services Commission. There are also various types of municipal districts for which we have no exact count: conservation areas for urban renewal (Art. 23 A, Sect. 7) zoning districts, etc. [1]

3. Authorities

Corporate entities directed to conduct one or more specific services in a prescribed area are identified as authorities. The most widespread

[1] ACIR, Regional Decision Making, Op. Cit., p. 376, gives the following figures for the number of special districts in Maryland: 1952- 158; 1962 - 176; 1967 - 187; and 1972 - 229.

are housing authorities which are local government entities created under state law (Art. 44A). They may be established in counties or in cities of 1,000 population and over, upon resolution of the local governing body. The State has a statewide housing authority and also acts to help local governments identify their own housing needs, set up local units and obtain federal funding. Administrators of these local authorities are appointed by the county or municipal governing body and usually require the approval of the local government for ongoing projects. They may incur bonded debt, collect rentals, borrow money, and accept grants from the federal government. According to officials of the State Housing Authority, there are eight county and eighteen municipal housing authorities in Maryland. County housing authorities are in Anne Arundel, Calvert, Carroll, Montgomery, Prince George's, St. Mary's, Somerset and Wicomico. Municipal housing authorities are established in Annapolis (Anne Arundel), Baltimore City (the biggest in the State), Cambridge (Dorchester), College Park (Prince George's), Crisfield (Somerset), Cumberland (Allegany), Federalsburg (Caroline), Denton (Caroline), Easton (Talbot), Elkton (Cecil), Frederick City (Frederick), Frostburg (Allegany), Glen Arden (Prince George's), Havre de Grace (Cecil), Hagerstown (Washington), Pocomoke (Worcester), Rockville (Montgomery). The State Community Development Administration acts as Baltimore County's housing authority and exercises its powers to start housing programs.

The Baltimore-Washington International Airport Authority, created by Chapter 529, Acts of 1970, has jurisdiction in, adjoining, and in the vicinity of the airport (Art. 62C). The Maryland Potomac Water Authority is created as a government agency with authority to conserve and control the storm and floodwaters of rivers and streams of the Potomac River watershed

in Frederick, Garrett, Allegany, Montgomery, Prince George's and Washington counties (Art. 96A, Sects. 89-106).

The Washington Metropolitan Area Transit Authority, mentioned under compacts, was created to develop a regional rapid transit system for the national capital region (Art. 41, Sects. 317-1 - 317-86). The Metropolitan Transit Authority is charged with establishing a rapid public mass transportation system in Baltimore City and Baltimore County (Art. 64B, Sects. 1-18).

There is also the Greater Laurel Hospital Authority which was created in the general vicinity of the City of Laurel and is authorized to issue bonds (Art. 43, Sects. 755-766). Additional authorities can be found throughout the State: the Baltimore County Revenue Authority, the Montgomery County Revenue Authority, plus Baltimore City municipal authorities for the Baltimore Civic Center and for the Lexington Market and the New Marshall Wholesale Market. The two market authorities, created by special acts and administered by a board appointed by the Mayor of Baltimore, are authorized to collect charges for services and to issue bonds.

D. Substate Regional Agencies

1. Washington Suburban Transit Commission (WSTC)

Chapter 870, Acts of 1965, provided for a Washington Suburban Transit District, composed of Prince George's and Montgomery Counties, and a Transit Commission. Functioning under the terms of Articles 16 and 17 of the Public Local Laws of Maryland, the Commission served as an agency of the State to manage and control activities within the Transit District. As a conduit of funds for the building of the Maryland share of the Washington metropolitan area rapid transit system, WSTC worked in conjunction with the interstate organization, Washington Metropolitan Area Transit Authority, acting as the coordinating agency between it and the state and local government agencies.

For purposes of raising revenue for part of Maryland's share of Metro costs, the Commission had been empowered to levy a tax on all assessable property within the District through the County Councils. The Commission determined the amounts necessary for each county's share of Metro costs per year, and on the basis of total assessable property value in each county, advised the respective council of the amount per $100 of assessable property, needed to pay the county's share.

The Transit Commission was composed of six members, three each appointed by the County Executives. The Maryland Secretary of Transportation served as an ex-officio member. At least one Commissioner from each county was required to be a member of the County Council, while the other Commissioners were required only to be residents of each county and serve for three year terms.

With the establishment of departments of transportation in Montgomery County and Prince George's County, the functions of the Commission have been drastically curtailed. What role the Commission will play hence forward is somewhat in doubt, but it may serve as a bi-county transportation coordinating committee. Operations through June 30, 1973 were on the basis of an interim memorandum of understanding which called for the Commission to serve as a coordinating agency between Maryland State DOT, Montgomery County DOT, Prince George's County DOT, and WMATA. Operations since that day were being studied by a small committee in order to make recommendations to the respective county governments and to the State Secretary of Transportation.

Within Montgomery County, there is some disagreement between the Executive and the Council over the future of WSTC. The Executive wishes WSTC to be generally phased out, while the Council wishes to maintain its existence as a regional agency because of its desirability as a "funding vehicle" giving the two suburban Washington counties parity with the Baltimore area. A spokesman for the County Council pointed to the ease with which the State Department of Transportation took on the responsibility of paying the suburbs' contribution to the Washington Metro, as an example of its value; it was his view that a contribution on behalf of either of the counties would not have been as easily obtained as one for a regional agency with state representation on its board.

The following matters were formerly handled by WSTC and have been taken over in their entirety by the county departments.

a) Technical coordinating functions such as alignments, stations, bus feeder routes, station access.

b) Public information involving transit service in a single county.

c) Financial matters involving a single county.

d) Line extensions, bus services and schedules involving a single county.

e) Transportation matters involving a single county's relationship with the District of Columbia.

The following matters were formerly handled by WSTC and will be considered jointly by any of the state or county agencies involved:

a) Proposals for new legislation, or change in existing laws.

b) Financing in the transit district, including capital financing or subsidies, operational subsidies, extensions or new routes which would affect both counties.

c) Matters involving the overall transit district or overall Maryland interest in mass transit.

2. Washington Suburban Sanitary Commission (WSSC)

In 1918 the General Assembly created the Washington Suburban Sanitary Commission to provide for both water and sewer service in a ninety-five square mile district carved out of Montgomery and Prince George's Counties. Expanded by successive acts of the Legislature, the district now includes about 1,000 square miles within both counties.

The Sanitary Commission has the following functions:

a) To provide for the construction, operation and maintenance of water supply, distribution and water collection, disposal systems in a 1,000 aqua-mile area, encompassing most of Montgomery and Prince George's Counties.

b) To construct water and sewer house connection lines from the Commission's mains to abutting property lines.

c) To review and prescribe engineering requirements for all storm drainage plans within the suburban area and to construct storm drains in Prince George's County.

d) To regulate plumbing installation and gas fitting within the Sanitary district.

e) To issue permits for and inspect all utilities to be installed in public ways.

f) To conduct examinations for plumbers, gas fitters, and issue licenses for the performance of plumbing and gas fitting.

g) To formulate utility projects for major systems involved in the advance planning of water, sewerage and drainage system development.

The Commission is headed by a six-member board, with three persons from each county appointed by the respective county executives, subject to confirmation by the County Council for terms of four years. A Chairman and a Vice-chairman, elected by the Commissioners, serve for two-year terms. Meeting on a regular basis, the board makes policy for the organization, while such policy is implemented by the General Manager who oversees the activity of the major departments of the agency.

There are five major departments in the agency: Finance, Planning and Engineering, Construction and Operations, Legal and Administrative.

State law passed during the years since 1918 forms the legal base for the Commission and such law has been codified in the Washington Suburban Sanitary District Code. Operating as a public agency, the Commission obtains funds for construction, equipment, and materials (all of which are capital expenditures) by issuing bonds under authority granted by the General Assembly. Principal and interest payments on these bonds, as well as all operating costs of the Commission are borne by the property owners within the District and all those to whom facilities of the Commission are available. Special funds, other than those obtained in a direct way from customers, include deficit defrayment payments by applicants for service to new development, federal grants for pollution control systems, and similar grants from the State, as well as some special sub-district charges.

Conversations with the two County Executives and their representatives show a good deal of dissatisfaction with the present regional arrangement of WSSC. County spokesmen said that their own counties are big enough to comprise a region

in itself in terms of sanitation and sewers. They said that local officials have little or no influence over the agency because it functions more as a state entity than as an agency responsive to local needs. Montgomery County spokesmen would like to see the combined budget broken into two parts because they think that the County is paying more than a fair share of the expenses.

Spokesmen for the Councils of the two counties were a little less positive in their discussions of WSSC. A Prince George's County Councilman felt that it had been more responsive recently and that the new systems of budgetary control need more time before a proper evaluation could be made. The councilman said that although engineering work could be performed by the respective counties, there would still be a need for a regional approach to the functions.

A staff spokesman for the Montgomery County Council said that the Council has been concerned and frustrated with the WSSC management, and that they have had difficulty in getting information from the agency. However, the spokesman said that any proposals to reorganize would have to be carefully considered in order to avoid worse problems than now exist. (For a fuller discussion of the agency, see Appendix A.)

3. Maryland National Capital Park and Planning Commission (MNCPPC)

The Maryland National Capital Park and Planning Commission is a bi-county agency for Montgomery and Prince George's Counties created by the General Assembly in 1927. The Commission is composed of ten members, five of whom must be residents of Montgomery County and five of Prince George's County, appointed for four-year overlapping terms. Prince George's County members are appointed by the County Executive with approval of the County Council. Montgomery County members are appointed by their County Council. The Commission appoints the agency's Executive Director, Secretary-Treasurer, General Counsel

and Director of Public Affairs, as well as such other staff members as may be necessary.

The General Assembly created the Commission on May 1, 1927, and designated the governing bodies in the two counties as the District Councils established to implement zoning regulations in their respective portion of the District. The Capper-Crampton Act passed by Congress in 1930, which recognized the Commission as agent for the State and a partner of the federal government, became the foundation of the suburban park system. That law, enacted to protect the disappearing stream valleys and to provide recreational facilities for residents of the Metropolitan area, subsequently gained recognition for emphazing the importance of the remaining tributaries to the waste and water systems. The WSSC legislation was reinacted by Chapter 780, Laws of Maryland 1959.

For the exercise of its planning and zoning functions, the Commission's area of jurisdiction is designated the Washington-Maryland Regional District, created by Chapter 714, Acts of 1939. For the exercise of its park functions, the Commission's area of jurisdiction is designated the Washington-Maryland Metropolitan District, created by Chapter 448, Acts of 1927. Both Districts are within Montgomery and Prince George's Counties adjoining the District of Columbia and embrace approximately 1,001 square miles and 919 square miles respectively. The 1973 estimated population of the entire Regional District is over 1,200,000.

Within the Maryland-Washington Regional District, the Commission is empowered to make, adopt and amend a general plan for the physical development of the District which takes into account factors of urban, suburban, rural and regional planning. The Commission, through the respective Planning

Boards, prepares plans and specifications for the construction of public works improvements and facilities. The two County Planning Boards have exclusive subdivision control, jurisdiction over street locations, public buildings and utilities, and street naming, and house numbering. The full Commission may act on master plans or functional plans effecting both counties or those matters which cross the county line, such as the Master Plan of Highways. The Planning Boards have advisory zoning powers, but the zoning ordinances and maps are adopted by the County Council of Montgomery County and the County Council of Prince George's County sitting as a District Council for that portion of the District within each county.

Within the Maryland-Washington Metropolitan District, the Commission is empowered to acquire, develop, maintain, and operate a park system with recreational facilities, the expense of which, including debt service, is paid from a separate park tax levied within the District. The Commission is authorized to cooperate and negotiate with federal agencies for financial assistance and with other agencies in the park development program.

The main departments of the agency are the Office of Executive Director, which includes Intergovernmental Affairs, Information and Management and Personnel; the Legal Department, the Department of Public Affairs, the Department of Finance, the Department of Planning and the Department of Parks.

A portion of MNCPPC funds are mandated by state law, but a more significant proportion is granted by each County Council. Funds come from ad valorem taxes, bond issues and park revenues. The respective Planning Boards adopt their own budgets and forward them to the County Councils which have final budgetary control. (See Appendix B).

4. Tri-County Council for Southern Maryland

In 1964, the Tri-County Council for Southern Maryland was

established to initiate and coordinate plans and projects for the development of human and economic resources in Calvert, Charles and St. Mary's Counties.

The membership of the Council consists of twenty-five members, including all the elected representatives of the General Assembly from the three counties, the Boards of County Commissioners, plus one non-voting member from the Economic Development Commission and the Planning and Zoning Commission of each county.

Four major programs encompass the scope of the Council's activity: Land use planning, economic promotion, criminal justice planning, and comprehensive health planning.

The agency's budget is drawn up by the Council and submitted to the Maryland General Assembly as part of the Department of State Planning Budget in order to receive state funds. Funds are also received from the U. S. Department of Housing and Urban Development, the Law Enforcement Assistance Administration, and the three member counties.

Federal grants-in-aid to local units within the region must be funneled through the Tri-County Council and must be reviewed by the Council to assure conformance of projected programs to the overall development plan.

The Council interacts directly with the Department of State Planning but has little or no relationship with other state agencies. Discussions with officials of La Plata indicate that the Council's relationship with the local units of government is not of the best. Claiming to speak for Indian Head, Leonardtown and Chesapeake Beach also, these officials said that the Council has not accomplished much in terms of its goal of economic development. Their principal and most deeply felt objection to the Council as it is now constituted, is that there is no municipal representation or

formal input of any form. (See Appendix C for a more detailed discussion of the council.)

5. Tri-County Council of Western Maryland

The Tri-County Council of Western Maryland was chartered in 1971 in Allegany, Garrett, and Washington Counties to provide guidance and direction for the Appalachian Regional Program.

The three counties constitute a distinct economic and geographic region of the state with common problems of economic growth and natural resource development, and a common need for comprehensive planning to provide for orderly growth and development. The Council was established to carry on such a development program, to stimulate public interest and participation in the development of the region, and to review local government grant-in-aid requests and make applications for such requests for the region.

The Council consists of eighteen representatives from the three counties, plus seven ex-officio representatives. An Executive Board is elected annually to run the Council and maintain over-all policy making authority. The Executive Board has authority to prepare and present a budget to the Appalachian State Representative who in turn forwards it to the Appalachian Regional Commission for final approval. Once the budget is approved, the Council's Executive Board has budgetary control. A fifty-fifty state-federal grant pays for Maryland expenses, but does not reflect administrative costs for these functional agencies whose programs impact in the Maryland Appalachian area.

Spokesmen for the counties generally have a positive outlook about the Council. Other than the remark that the agency has a tendency to over-staff

there was little criticism about the agency elicited from a spokesman for Washington County.

(For a more detailed discussion of the Tri-County Council of Western Maryland, see Appendix E.)

6. Regional Education Service Agency (RESA)

The Regional Education Service Agency for Appalachian Maryland is a voluntary cooperative public educational institution serving Allegany, Garrett, and Washington Counties and the regional and state agencies concerned with human development in these three counties. Its purposes are to plan, coordinate and establish policy and procedures for regional education projects in the area, to assist project staff, and to foster cooperation among all the area organizations and agencies.

The agency accomplishes its functions through an Advisory Body, a Board of Directors, and the office staff. The Advisory Body, which meets once a month, is made up of representatives of all organization members. The Board of Directors, made up of the chief executives of the Boards of Education of the three counties and the Presidents of four colleges, determines substantive decisions and policies. It has overall policy-making authority and overall budgetary authority.

Among the programs initiated for the area by RESA are a joint purchasing program, informal support services program, personnel sharing program, unified pupil testing program, plus family aid and fire service extension programs.

During the 1973 Session of the General Assembly, a bill was passed that permitted RESA to organize as a separate entity, although it still has

a formal relationship with the Tri-County Council of Western Maryland. (For a more detailed discussion of RESA, refer to Appendix E.)

7. Health Planning Council of Appalachian Maryland

The Council was incorporated in 1970 to promote the highest level of health obtainable for persons in the region and the development of a comprehensive health plan for the area. It has thirty-six members, with twelve from each of the three counties in the region. A nine-member executive board is elected annually to exercise overall policy-making authority for programs and to appoint an Executive Director.

Budgetary control rests with the Department of Health, Education and Welfare, Region III in Philadelphia. The Appalachian Regional Commission and the Maryland Comprehensive Health Planning Agency are authorized to approve new programs as recommended by the Council. The Federal and Field Liaison Office of the Maryland Department of Economic and Community Development provides guidance and technical assistance to the agency and assists in planning functional programs.

Within the organization, Committees work in the area of Health Manpower, Environmental Health, Health Facilities, Health Services, Alcoholism, Drug Abuse, Mental Health and Mental Retardation, Personnel and Finance.

In addition to a formal relationship with the Tri-County Council and RESA, the Planning Council has established ties with health personnel of all facilities and services in the region, plus informal relationships with regional medical programs, planning agencies, hospitals,

health centers, nursing homes, emergency services, local governments, professional organizations, colleges and universities, voluntary health agencies, community development agencies, civic organizations, and state and federal agencies. (For a more detailed discussion of the Health Planning Council, refer to Appendix E.)

8. Regional Planning Council (RPC)

The Regional Planning Council was created in 1963 by Chapter 753, Acts of the Maryland General Assembly, as a cooperative, intergovernmental planning organization. The Council's area of jurisdiction includes Baltimore City and Anne Arundel, Baltimore, Carroll, Harford and Howard Counties, covering 2,259 square miles, with a population of 2,070,670. The Council is required to "Prepare a suggested general development plan for the region" and to provide an "opportunity for the several units of government within the area to work together with the State and private agencies toward the solution of their problems," according to Article 78D of the Annotated Code.

The governing body of the agency consists of 26 members; two top elected officials and a member of the planning body from each jurisdiction (18); one State Senator, one member of the House of Delegates, and two citizens from the region are appointed by the Governor. Four heads of state departments also sit on the Council as non-voting members: the Secretaries of State Planning, Transportation, Natural Resources, and Health and Mental Hygiene (Chapter 497, Acts of 1971).

Major divisions of RPC are the Executive Director's Office, Administration, Systems Analysis and Data Management, Resource Management, Human Services and Public Safety. There are also certain advisory committees which are made up of citizens and elected officials; Housing, Health, Advocacy Planning, Criminal Justice Planning, and Transportation. Other committees

that provide technical advice to RPC consist of public officials: Environmental Services, Open Space, Planning Directors, Solid Waste Planning, Technical Transportation, and Library Services.

In addition to the legal authorization for RPC in Article 78D of the Code, other state legislation has added specific duties to be performed by the Council. Various federal bills have also added to the mandate of the agency.

The annual fiscal budget is prepared and approved by the governing board a year in advance of its intended use, then reviewed and approved by the State Board of Public Works, and finally reviewed and approved by the General Assembly. The State General Fund allocates about ten per cent of the total budget; Baltimore City and the five counties jointly contribute about twenty per cent from their funds; and the remainder comes largely from the federal government, with a small proportion from other outside sources.

Because of RPC's complex working day-to-day relationships with six local governments, most state departments, several federal departments and various organizations in the region, it must work under a proliferation of federal and state requirements, guidelines and procedures. It has been suggested by RPC that it could more efficiently and effectively carry out its legislated mission, if the responsibility to manage its affairs were fully recognized by all of the agencies involved in the Council's work.

(For a more detailed discussion of the Regional Planning Council, refer to Appendix D.)

E. Interstate Regional Agencies

1. Metropolitan Washington Council of Governments (COG)

In 1965 the Metropolitan Washington Council of Governments incorporated in Washington, D. C., as a non-profit organization for the purpose of promoting the mutual interests of the major governments serving the area. Local governments in the Metropolitan Washington area which belong to COG are: the District of Columbia, Arlington, Fairfax, Loudoun, Montgomery, Prince George's and Prince William Counties, and the Cities of Alexandria, Bowie, College Park, Fairfax, Falls Church, Greenbelt, Rockville and Takoma Park. Additionally, the membership includes the area members of the Maryland and Virginia Legislatures and the United States Senate and House of Representatives, a unique feature among councils of government.

Six policy committees, responsible to the Board and made up of elected officials, operate in functional programs areas: Human Resources, Health and Environmental Protection, Land Use, Public Safety, Air Quality Planning, and Transportation. Twenty technical committees made up of non-elected local government staff cover the program areas of Housing, Recreation, Corrections, Codes, Civil Defense and Libraries. The staff of COG is divided into eight departments: Administration, Human Resources Data Systems, Health and Environmental Protection, Public Affairs, Public Safety, Regional Planning and Transportation Planning.

Although COG is not a statutory organization, it does have specific responsibilities under law. The membership of Maryland's counties and municipalities is authorized in Article 25, Sect. 26A of the Code, wherein the governing bodies of any Maryland county, city or town may participate

in such a council. The same section also says that the Washington Council of Governments is entitled to receive specified financial support from the State.

Under the terms of the Demonstration Cities and Metropolitan Development Act of 1968, and the National Environmental Policy Act of 1969, COG serves as a metropolitan clearing house for awarding federal grants in the Washington area. It carries out its review responsibilities under OMB Circular A-95, as the official review agency in the metropolitan area. COG must review applications by local and state governments and agencies for federal grants in more than 100 different programs, including highway projects, airports, mass transit, hospitals, libraries, criminal justice planning, comprehensive health planning, neighborhood development, manpower, open space, and water and sewer facilities.

Funding for COG has been largely local governments and federal, with federal monies coming from HUD, DOT, HEW, Interior, EPA, FAA, and Justice. Local contributions now amount to about 19.4 per cent of the agency's total revenue. State funding for COG has been largely limited to the highway department in the past, but the General Assembly has recently passed legislation that would enable the State to provide a portion of the local contributions made by Prince George's and Montgomery Counties.

As a voluntary organization without governmental powers, COG cannot require the metropolitan community to take specific types of action. Nevertheless, the agency appears to perform several useful roles in meeting metropolitan needs: as a forum for discussion of areawide policy with access to highly sophisticated data systems; as a metropolitan planning organization in the areas of land use, transportation, air quality

and solid waste; as a coordinator for local governments that want to work together, as in police or fire mutual assistance agreements; and as a spokesman for local governments either to Congress or to the state legislatures. (For a more detailed discussion of COG, refer to Appendix F.)

2. The Delmarva Advisory Council

The Delmarva Advisory Council was established in 1964 to give a voice to the Delaware-Maryland-Virginia peninsula which has similar problems and economic needs over the three-state area. It was created with the hope of advancing the economic and cultural welfare of the people of the peninsula through advice, counsel, and assistance to local government agencies and private organizations. The Advisory Council has since been designated by the U. S. Department of Commerce's Economic Development Administration as an economic development district. The district includes all of the area south of the Chesapeake and Delaware Canal, which in Maryland includes a portion of Cecil County and all of the counties of Kent, Queen Anne's, Talbot, Caroline, Dorchester, Wicomico, Somerset and Worcester.

The Council is made up of five gubernatorial appointees from each state, an elected official from each county, a minority representative from each county, and an elected official from each of the three designated growth centers; Salisbury, Dover and Cambridge. The agency has no legal status and only such legal authority as stems from recognition by the Economic Development Administration as the economic development district.

General program objectives for the agency include the deployment of federal grants for public works, the promotion of ideas related to economic

development, the conduct of community inventories, and the promotion of conservation of natural resources, better agricultural and consumer relationships and better understanding among the seafood producers as to the rapidly changing technological advancements in their industry.

Funding is basically 70 per cent federal and 30 per cent states, with federal funds for general operating expenses being supplied by a planning grant under the Public Works and Development Act. Such special funds from EDA amounted to $70,000 in 1973. EDA exerts budgetary control by approving the agency's budget at the beginning of each grant year. The three states share the remaining portion on the basis of area and population of the district. Maryland's share of 53 per cent is a state grant channelled through the Office of Federal-Field Liaison in the Department of Economic Development. (For a more detailed discussion of Delmarva refer to Appendix G.)

3. The Washington Metropolitan Area Transit Commission

The Transit Commission was created by the Washington Metropolitan Area Transit Regulation Compact entered into by and between the District of Columbia, the State of Maryland, and the Commonwealth of Virginia. The basic purpose in creating the Commission was to centralize in a single agency the regulation of all mass transportation of persons within the Washington Metropolitan District, which embraces the District of Columbia, the Cities of Alexandria and Falls Church in Virginia, and the Counties of Arlington and Fairfax in Virginia and Montgomery and Prince George's in Maryland.

The Commission is composed of three members, one from each of the three signatories; Maryland's delegate is the Chairman of the Public

Service Commission. Regulation and planning are the main functions of the Commission which is empowered to prescribe fares, regulations and practices of transportation companies and taxicabs in the Transit District.

The staff of the Commission is headed by the Executive Director who is in charge of the Commission's offices. The technical staff consists of four departments; namely, (1) Legal, (2) Accounting, (3) Engineering, and (4) Urban Transportation Planning.

Contributions for financial support are made from each of the three signatories in proportion to the population of the various areas, and in accordance with the scheduled miles of regular route service within each jurisdiction by carriers holding certificates issued by the Commission. The State of Maryland's share is forty per cent, and the 1972 appropriation for the State was $164,763.

4. The Washington Metropolitan Area Transit Authority

The Authority was created in 1967 to plan, develop and operate a rapid rail transit within the Washington Metropolitan Area Transit Zone, an area which includes the District of Columbia, the Cities of Alexandria, Falls Church and Fairfax in Virginia, and the Counties of Arlington and Fairfax in Virginia and Prince George's and Montgomery in Maryland. It was established by an interstate compact entered into by and between the State of Maryland, the Commonwealth of Virginia and the District of Columbia. Maryland ratified the Compact by Chapter 869, Acts of 1965.

The Authority is controlled by a six-member board of directors, two each appointed by the Compact's three signatories. Maryland's members

are appointed by the Washington Suburban Transit Commission. Various officials of the Authority are provided for in the Compact; the chief administrative officer is the general manager who is responsible for daily activities of the Authority.

In addition to planning, developing and financing the transit facility and coordinating its operation, the Authority has the power to sue and be sued, to adopt rules and regulations, to construct, operate, or sell personal property, to condemn, to enter into contracts and agreements and to receive money, payments and appropriations and gifts from any agency or private corporation.

Expenses not covered by contracts, agreements, or bonds are allocated among the signatory governments based on population. The Authority does have power to borrow and issue bonds; and in addition to maintaining a current expense budget, it must issue a capital budget.

CHAPTER IV

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CHAPTER IV

SUMMARY OF REGIONAL ALTERNATIVES AVAILABLE TO MARYLAND

The purpose of this report is to provide the Commission with information about regional organization, point out what may be critical problem areas, and develop questions that the Commission may consider and act upon in an attempt to identify administrative and fiscal responsibilities for delivery of services. In terms of regional structures and regional techniques, there are choices or alternatives which can be grouped in the following categories:

1. Options regarding procedural changes, such as extra-territorial powers or transfer of functions.
2. Options regarding existing regional agencies, such as WSSC,MNCPPC, RPC, or the two Tri-County Councils.
3. Options regarding geographic changes, such as reorganization of present units, or restructuring of present regions.
4. Options regarding structural changes, such as creation of new functional agencies, or consolidation of existing agencies.

This report is based upon research and interviews. Because of the size and scope of the subject of regionalism, it was not possible to contact or represent the views of all interested persons. However, a list has been compiled of those persons who may be called upon in the event that the Commission should hold meetings to gather additional information concerning regionalism.

Further, it should be noted that the study is not written with the idea that regionalism, whether as a basis for a governmental unit or the performance of a function, is inherently good or evil, but rather is a reality of political life. It is recognized also, although not stated in every case, that with regard to any subject or function, the option may be to choose no regional performance at all.

A. Alternatives Regarding Procedural Techniques

Although the regional agencies are a central focus of regional decisions and choices, there are other less controversial areas for regional actions. The Commission may find it advantageous to recommend the following types of procedural techniques which increase substate regional cooperation:

1. Statutory authorization to transfer functions from one jurisdiction to another. Such transfers often occur in the areas of planning, tax assessments and collections, health and welfare services.
2. Broad general statutory authorization permitting municipalities to act outside of their legal limits in performance of public services. The Code currently authorizes extraterritorial jurisdiction for specified purposes, such as location of corrections centers, or acquiring property for and extending water and sewerage systems. It may be needed for such uses as establishment of municipal airports or the acquisition of park and recreation land, or the exercise of extraterritorial planning and zoning, and subdivision regulation powers beyond municipal boundaries where such powers are not being exercised by the county government.

B. Alternatives Regarding Existing Agencies

1. Washington Suburban Transit Commission

This regional transportation agency is in the process of being phased out except as a type of bi-county coordinating committee. The Functions of Government Commission can:

a) Take no stand on the de-emphasis of the agency, on the grounds that its functions can be efficiently handled by the two counties acting separately.

b) Support continuation of the agency as a regional organization for ease of state and federal funding.

2. Washington Suburban Sanitary Commission (See Appendix A)

The Commission represents a difficult situation, compounded by intense controversy. With regard to efficiency and performance of its functions, WSSC has elicited some criticism; generally, outside consultants, in-house personnel, and local government officials acknowledge that its technical performance is adequate. Strong complaints, however, mark any discussion of its responsiveness to local government officials and local government policy. The Functions of Government Commission can:

a) Avoid any discussion of the agency because of the intensity of feelings about it.

b) Discuss the agency and recommend leaving it as it is, on the grounds that recently implemented budget changes are acting to increase agency responsiveness and to ameliorate the current opposition to it from local governments.

c) Recommend leaving it as it is functionally while changing the authorization from a state statutory base to that of a

bi-county compact, on the grounds that this would force more responsiveness to local government.

d) Recommend expansion of the region within which WSSC's functions are performed in order to include counties adjacent to Montgomery such as Howard and Frederick and counties adjacent to Prince George's such as Charles, Calvert and Anne Arundel, on the grounds that the performance of the sewer and water function would be performed more efficiently with a larger geographic base and the adjoining counties are in reality closely tied to Montgomery and Prince George's.

e) Recommend a complete division of WSSC between the two counties, on the grounds that each county is a sufficient region unto itself and can best perform the functions in question.

f) Recommend a complete division of WSSC between the two counties and the establishment of a bi-county coordinating committee, on the grounds that each county is a sufficient region, but their proximity demands coordination of the performance of the sewer and water function.

g) Recommend a partial division of WSSC between the two counties with implementation performed by the separate counties and policy making done by the regional commission.

h) Recommend a partial division of WSSC between the two counties with performance of function by the regional agency and policy making by separate county boards.

i) Recommend that WSSC become a utility stock organization on the grounds that its function is by nature that of a public utility.

3. Maryland National Capital Park and Planning Commission (See Appendix B)

The problems of this agency are, in many respects, similar to those of WSSC, although the level of hostility is not as high. Alternatives open for Park and Planning also bear a degree of resemblance to those for the Sanitary Commission. The Commission can:

a) Avoid any discussion of the agency because of the intensity of feelings about it.

b) Recommend leaving it as it is, on the grounds that its functions are regional in nature and can best be performed by a regional bi-county agency.

c) Recommend expansion of the region in which MNCPPC performs its functions to include other area counties on the grounds that it would then be truly regional.

d) Recommend a division of the planning function between the two counties on the grounds that planning and zoning should be performed at the county level.

e) Recommend a division of the agency entirely, on the grounds that parks and recreation in Prince George's County should be performed by the County and the parks' function in Montgomery County should be performed by the County.

4. Tri-County Council for Southern Maryland (See Appendix C)

As a regional agency, the Council faces opposition from local government officials just as the other regional entities do, but the intensity of opposition does not appear to be as strong. The Commission can:

a) Recommend no changes in the present structure and make-up of the Council of Western Maryland, on the grounds that it is adequately performing the functions of planning and economic development and that these functions are best performed at the regional level.

b) Recommend dissolving the Council, on the grounds that its functions are best performed at either the local or state level.

c) Recommend continuing the Council as is with the exception that municipalities be given formal representation on the governing body, on the grounds that they are not adequately represented by the County Commissioners or the members of the State Legislature.

d) Recommend changing the geographic make-up of the region, on the grounds that Charles County has recently been added to the Washington Metropolitan Statistical Area and may more logically be considered a part of that region.

e) Recommend that the authority of the Council over the counties and municipalities be increased, on the grounds that it is a necessary move in the performance of economic and regional development.

g) Recommend that the Council's constituent counties become home rule counties, on the grounds that the counties would then exercise as much influence over the Council as the area's legislative delegation.

5. Regional Planning Council of Greater Baltimore (See Appendix D)

Established by statute to prepare a general development plan for the region and to give the area governments an opportunity to work together, RPC has been the subject of many and varied opinions. Because it performs the regional review function required by a multiplicity of federal programs, its existence is regarded as an absolute must; however, some local government officials do not regard it as of much assistance or impact on their problems. The Commission can:

a) Recommend no action on the grounds that the agency is adequately performing its function, or that it, or something like it, is required by federal legislation.

b) Recommend restructuring of the region RPC encompasses on the grounds that many of the counties now included have no real community of interest with the Baltimore Metropolitan area.

c) Recommend abolition of the agency on the grounds that it does not adequately perform its functions, or that it is not needed, or that the State could act in its place.

d) Recommend restructuring of RPC to include persons elected directly from each jurisdiction to serve as the legislative body of the agency, on the grounds that elected officials from each jurisdiction who currently serve on the governing board do not represent the citizens directly.

e) Recommend restructuring of the agency to allow it to assume actual operational authority in specified functions, on the grounds that such specified functions should be performed on an areawide basis.

6. Western Maryland Agencies (See Appendix E)

Three regional agencies are based in the Western part of the State and owe their creation to the stimulus of the federal Appalachian Regional Program ; the Tri-County Council of Western Maryland, the Regional Education Service Agency, and the Health Planning Council of Western Maryland. These three organizations seem to be well accepted by the local government jurisdictions, or, at least, insufficiently well known to engender dissent. The Commission can:

a) Recommend no action, on the grounds that the agencies are performing their respective functions competently.

b) Recommend consolidation of the three agencies, on the grounds that each is basically a planning agency and all planning efforts for the region should be coordinated in one unit.

c) Recommend consolidation of the Health Planning Council with the Tri-County Council, on the grounds that health planning is part of the function of the Tri-County Council of Southern Maryland and the Western Regional Council should function in the same way.

d) Recommend abolition of one or all of the three agencies, on the grounds that they are not doing their job adequately, that they are not needed, or that because they receive a major portion of their funding from the federal government their future is uncertain anyway.

7. Washington Council of Governments (See Appendix F)

As a voluntary organization without governmental powers, the Washington COG is a different type of regional entity than the agencies described thus far. It was established through cooperative action of local government officials in Washington and the metropolitan suburbs of Virginia and Maryland, and continues to function primarily at their initiative. Thus, the actions that the Commission can take with regard to the organization are more limited than with regard to the other organizations described. The Commission can:

a) Recommend no action on the grounds that as an areawide planning group COG is performing adequately.

b) Recommend revoking the statutory authorization for membership of Maryland's metropolitan counties and municipalities, on the grounds that their interests lie within the state rather than in the Washington Metropolitan Area.

c) Recommend granting some form of more detailed statutory authorization to the organization, on the grounds that it needs additional authorization to carry out its function.

8. Delmarva Advisory Council (See Appendix G)

Like COG, the Delmarva Council has no statutory authorization. It acts solely as an advisory group in trying to advance the economic and cultural

welfare of the region. Designated as an economic development district by the Economic Development Administration under the Public Works and Economic Development Act of 1965, Delmarva gets almost two-thirds of its funds from the federal government. Because the federal program is being phased out of existence, the future of the Advisory Council is uncertain. The Commission can:

a) Recommend that it be allowed to go out of existence when and if federal funding ceases.

b) Recommend that the State attempt to continue its existence by asking the three member states to increase their respective shares of the financing.

C. Alternatives Regarding Geographic and Structural Changes

1. Municipal Consolidation and Dis-incorporation

It is increasingly difficult for small units of government to perform the technical and complex functions needed and demanded by citizens. Unlike many other states, Maryland has neither township governments nor independent school districts. Further, out of twenty-three counties in the State, two contain no incorporated municipalities (Baltimore and Howard), and ten contain no more than four. The result has been a fairly low number of local government units, which is said to be one of the present strengths of local government in Maryland. However, there are counties where the situation is reversed; a large number of small municipalities adjacent to and competing with each other and the county and the State for limited financial resources.

For example, rural Carroll County has eight incorporated towns, more than in the rest of the counties of Metropolitan Baltimore combined. The best known is Westminster, the County Seat, home of Western Maryland College, and the largest of the eight, but the other seven - Manchester (1466), Mount Airy (1825), New Windsor (788), Hampstead (961), Sykesville (1399), Taneytown (1731), and Union Bridge (904), all have populations of less than 2,000. In a newspaper article,[1] the Carroll County Finance Director said that the towns may be faced with economic obsolescence, and that many of the services they perform could be performed more effectively by the county. Obviously, rising costs will make this differential more severe. Because the towns usually have a fairly static base, they are forced to meet rising costs with higher taxes. An example is Sykesville, which when faced earlier this year with financing an expensive storm drainage project, threatened to give up its charter. A county study showed that county provision of services would raise the county tax rate only two cents, to $2.67. Sykesville residents have been paying at a rate of $1 and were faced with a rise to $1.33.

The State has 151 incorporated municipalities, including Baltimore; eight with population of 20,000 or more, of which one has a population of 50,000 or more.[2] There are also in the State eighteen unincorporated areas of high density with polulations of 20,000 or more, six of which have populations of 50,000 or more. There are eight incorporated municipalities of 10,000 to 19,999 population, but twenty-three unincorporated high density areas with the same population range. At the other end of the scale, twenty-six

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[1] The Evening Sun, Baltimore, 9/17/73, p. C4.

[2] Population figures as of 1970.

municipalities range from 500 to 999, and forty-two municipalities have less than 500 people. Table IV-1 shows the breakdown by county (See Appendix I for a more detailed breakdown).

Because there have been no new incorporations in the State since 1953, it would seem that legislation to limit the ability of localities to divide and incorporate is adequate in terms of preventing multiplication and fragmentation of local government.

If most of the current studies on feasibility and efficiency of government units are correct, then a unit of government of less than 1,000 persons is performing government services at a much higher tax cost to its residents than larger units. Any discussion of elimination of local government units, no matter how uneconomical or inefficient, immediately meets with the argument that small government is closest to the people and more responsive to local wishes. Although this is generally accepted by tradition in America as an unquestionable truth, it is not necessarily universally believed. Great Britain, the Anglo-Saxon source of so much of our governmental structure and so many of our political practices, is in the process of reducing its local government units by about 70 percent. Thus far, the sweeping policies have elicited few protests, and most Britons do not indicate that they feel that the current trend threatens their way of life. Many Britons seem to feel that central direction gives more equality and that the national level of government provides the individual with the most satisfaction.[1] Therefore, it is possible to argue that all small units of local government are not necessary to citizen input nor are they necessarily most responsive to citizen control.

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[1] For a further discussion of situation, see Berkley, "Community Control in Britain," National Civic Review, May, 1973, p. 248-253.

TABLE IV-1

MUNICIPALITIES AND UNINCORPORATED PLACES, BY COUNTY

COUNTY	TOTAL MUNICIPAL	MUNICIPAL UNDER 1000*	MUNICIPAL UNDER 500	UNINCORPORATED PLACES BETWEEN 10,000 - 19,999	OVER 20,000
Allegany	7	3 (42%)**	1 (14%)		
Anne Arundel	2		1	2	1
Baltimore	None			6	10
Calvert	2	2			
Caroline	9	6 (63%)	4 (36%)		
Carroll	8	3 (37%)			
Cecil	8	4 (50%)			
Charles	2				
Dorchester	9		7 (77%)		
Frederick	11		5 (41%)		
Garrett	8	6 (75%)	3 (37%)		
Harford	3				
Howard	None				
Kent	5		3 (60%)		
Montgomery	14	6 (43%)	5 (36%)	7	3
Prince George's	27	4 (14%)	1	7	4
Queen Anne's	7		6 (85%)		
St. Mary's	1				

MUNICIPALITIES AND UNINCORPORATED PLACES, BY COUNTY (continued)

COUNTY	TOTAL MUNICIPAL	MUNICIPAL UNDER 1000*	MUNICIPAL UNDER 500	UNINCORPORATED PLACES BETWEEN 10,000 - 19,999	OVER 20,000
Somerset	2	1			
Talbot	4	2	1		
Washington	9	2			
Wicomico	8	5 (62%)	3 (3%)		
Worcester	4				
Baltimore City					
	150	44	40		

* Includes those under 500

** Percentages are based on Total Municipalities

Figures taken from Maryland Manual, 1971-1972.

In terms of the structural, geographic aspects of regionalism, the question of disincorporation of municipalities is relevant. The Commission can:

a) Refuse to discuss the issue or discuss it but make no recommendations.

b) Recommend the passage of legislation stating population minimums below which a municipality would cease to function, on the grounds that efficiency and economy depend on the jurisdiction encompassing a minimum number of persons (i.e., 1,000 or 500) below which the price of government services becomes inordinately high for the resident (utilizes Art. XIE of the Constitution which provides for classification of municipalities).

c) Recommend the establishment of a permanent commission or municipal review board with jurisdiction over boundary disputes and authority to define boundaries for municipalities, and authority to set standards for minimum performance of functions by municipalities, on the grounds that this activity requires the activities of an on-going group rather than a Commission with a short term existence.

2. Redefinition of County Boundaries

Running like a thread through Maryland's political tradition is the concept of the county. Unlike municipalities, however, counties are geographically fixed by law. Their redefinition would require constitutional change and heavy citizen support. Because of the county's deep roots

in Maryland's history, it has always been felt that to change county boundaries would be too difficult politically. This probably holds true today, but the nature of this Commission suggests that the question should be examined. It is possible that existing county boundaries which in many cases have been set before 1867 do not reflect the varied and diverse needs of the State's citizens today. It is possible that given the opportunity, citizens of various counties might elect to combine two or more counties or to create a new one. To undertake any consideration of this subject would require a close look at the total land and water area and the dominant economic interests of each county followed by extensive hearings to elicit citizen opinion. The Commission can:

a) Discuss the issue, but make no recommendations.

b) Recommend that statutory authorization be given to the organization of new counties without the requirement of referendum, on the grounds that the current Consitutional implementation process is too restrictive of the State.

c) Recommend the establishment of a permanent commission or review board with jurisdiction over organizing new counties and changing of county lines and authority to classify counties upon population or other criteria for purposes of legislating public general laws which are applicable to all counties within one or other classification, on the grounds that such activities require an on-going group rather than a temporary commission.

3. Development of State Administrative Regions

Questions are raised in this study about the regional jurisdiction of selected regional agencies. An examination of state mandated planning and functional regions suggests that a logical question is: are the existing regions both logical and functional? If one set of regions is logical in make-up, should all other functional regions conform to it as much as possible? Should there be a state policy on the location of regional administrative departments of all state programs? Do federal regional peograms within the State coincide with Maryland's regional designations?

Turning first to the Department of State Planning, we find that seven planning districts or regions have been designated (see Map A, p. 82).

a) Frederick County.

b) Western Maryland: Garrett, Allegany, Washington Counties.

c) Southern Maryland: Calvert, Charles and St. Mary's Counties.

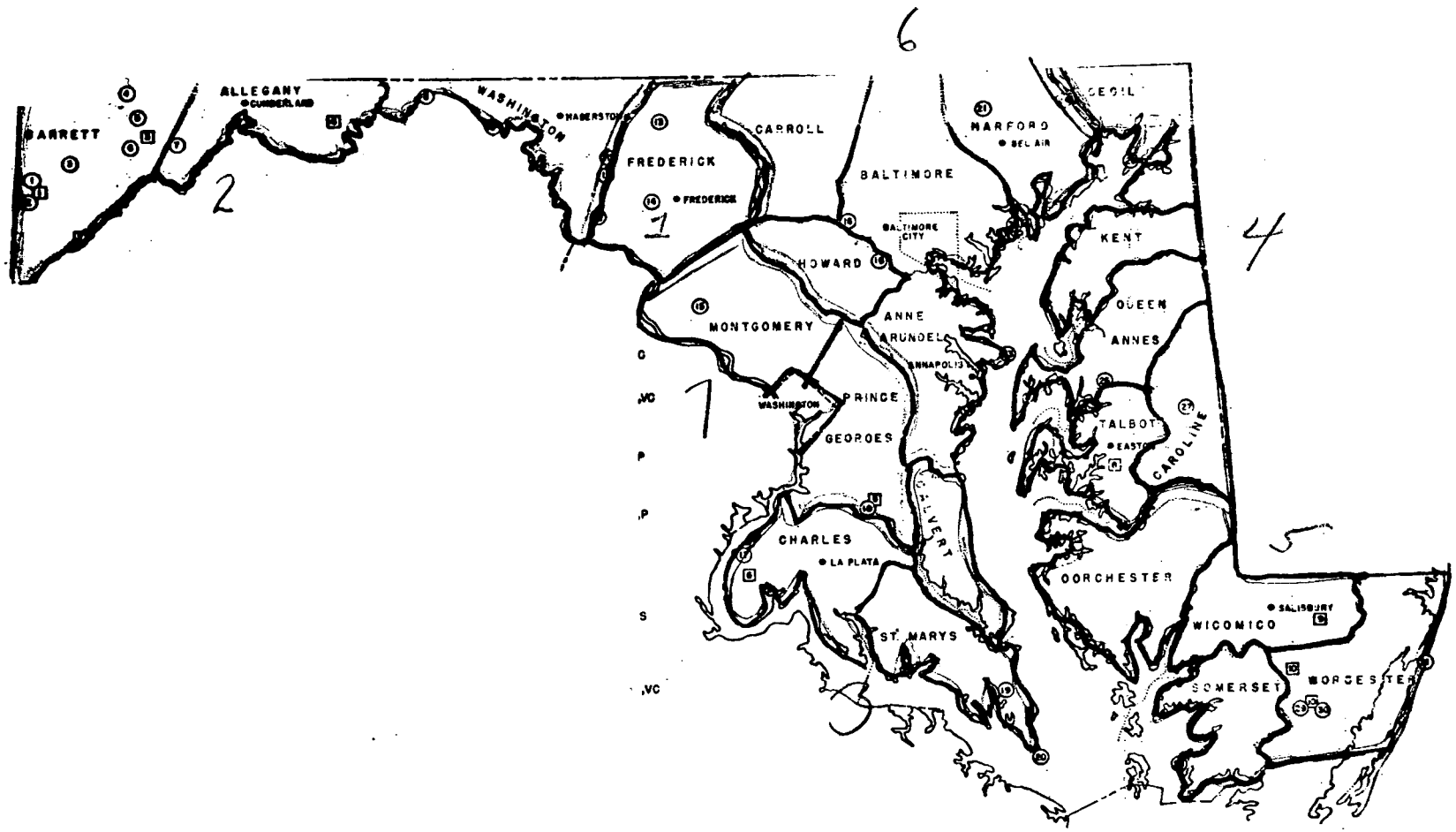
d) Upper Eastern Shore: Cecil, Kent, Queen Anne's, Talbot and Caroline Counties.

e) Lower Eastern Shore: Dorchester, Wicomico, Worcester, Somerset Counties.

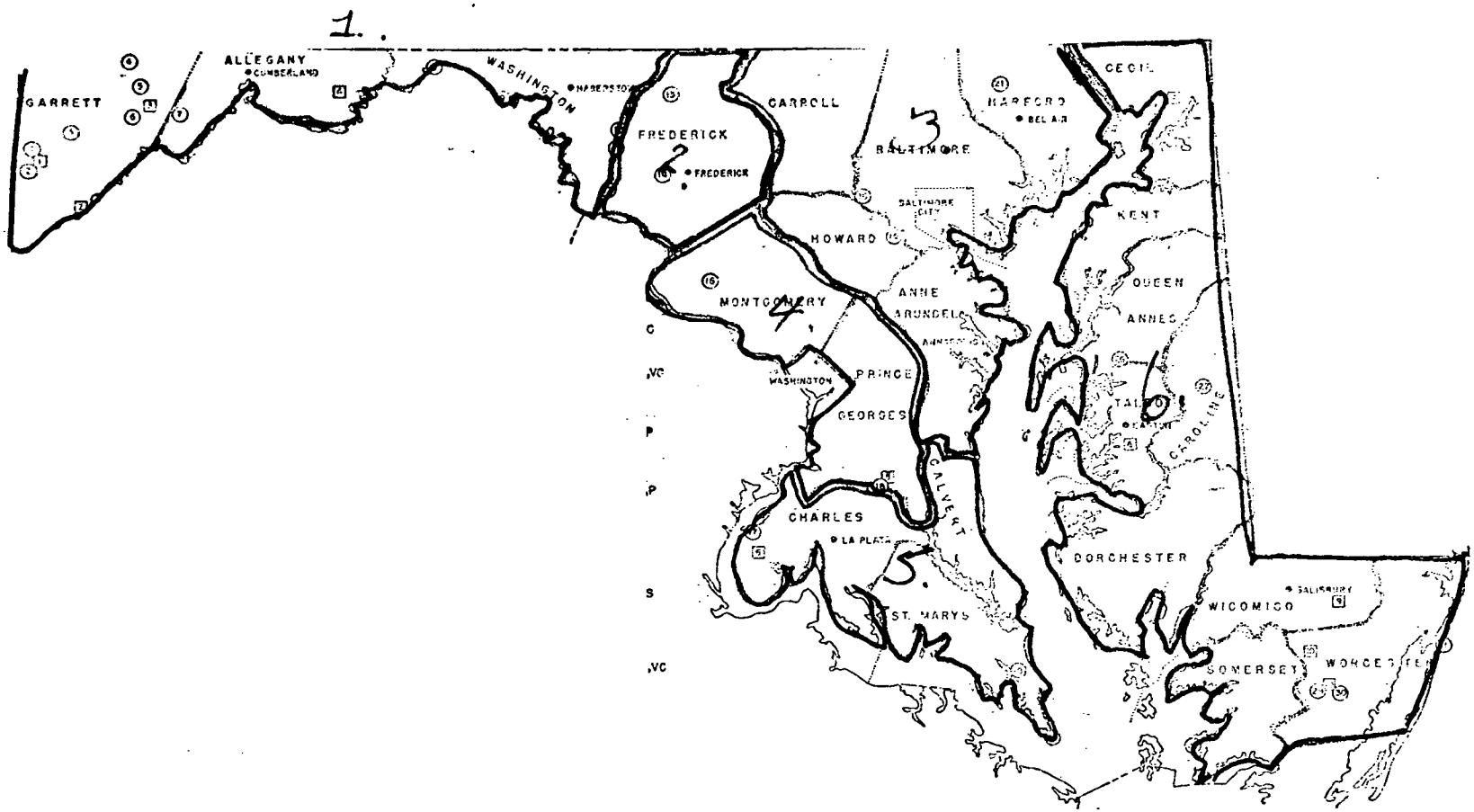
f) Baltimore Area: Baltimore City, Baltimore, Howard, Harford, Carroll, and Anne Arundel Counties.

g) Suburban Washington: Montgomery, Prince George's Counties.

Under its air quality control program, the Department of Health and Mental Hygiene has designated six air quality control regions: (see Map B, p. 83).



A. Department of State Planning Districts



MAP B. Air Quality Control Regions

a) Region 1 - Garrett, Allegany, and Washington Counties.

b) Region 2 - Frederick County.

c) Region 3 - Carroll, Baltimore, Harford, Baltimore City, Howard and Anne Arundel.

d) Region 4 - Montgomery and Prince George's Counties.

e) Region 5 - Calvert, Charles and St. Mary's Counties.

f) Region 6 - Cecil, Kent, Queen Anne's, Caroline, Talbot, Dorchester, Wicomico, Worcester, and Somerset Counties.

Within the Department of Natural Resources, three divisions, Fish and Wildlife, Forest Service, and Extension, utilize regional offices and/or a regional breakdown as follows: (See Map C, p. 85).

a) Western: Allegany, Garrett, Frederick and Washington Counties.

b) Central: Baltimore City, Baltimore County, Carroll, Howard, and Montgomery Counties.

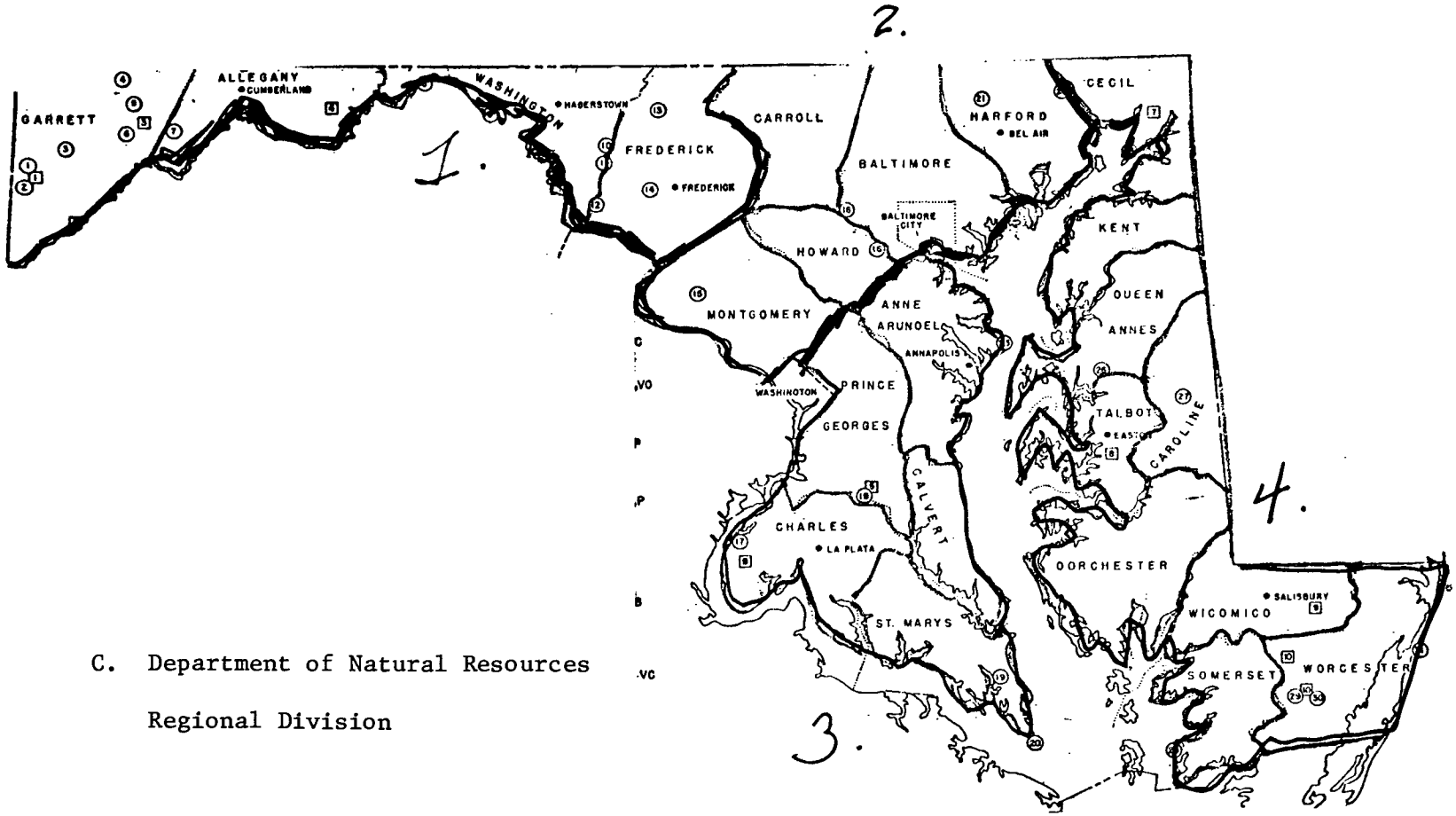
c) Southern: Anne Arundel, Calvert, Charles, Prince George's and St. Mary's Counties.

d) Eastern: Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico and Worcester Counties.

One or all of these divisions utilize regional offices in Laurel, Bel Air, Salisbury, Cumberland and Centerville.

The Department of Economic and Community Development also utilizes a Western Maryland regional office, but it is located in Hagerstown.

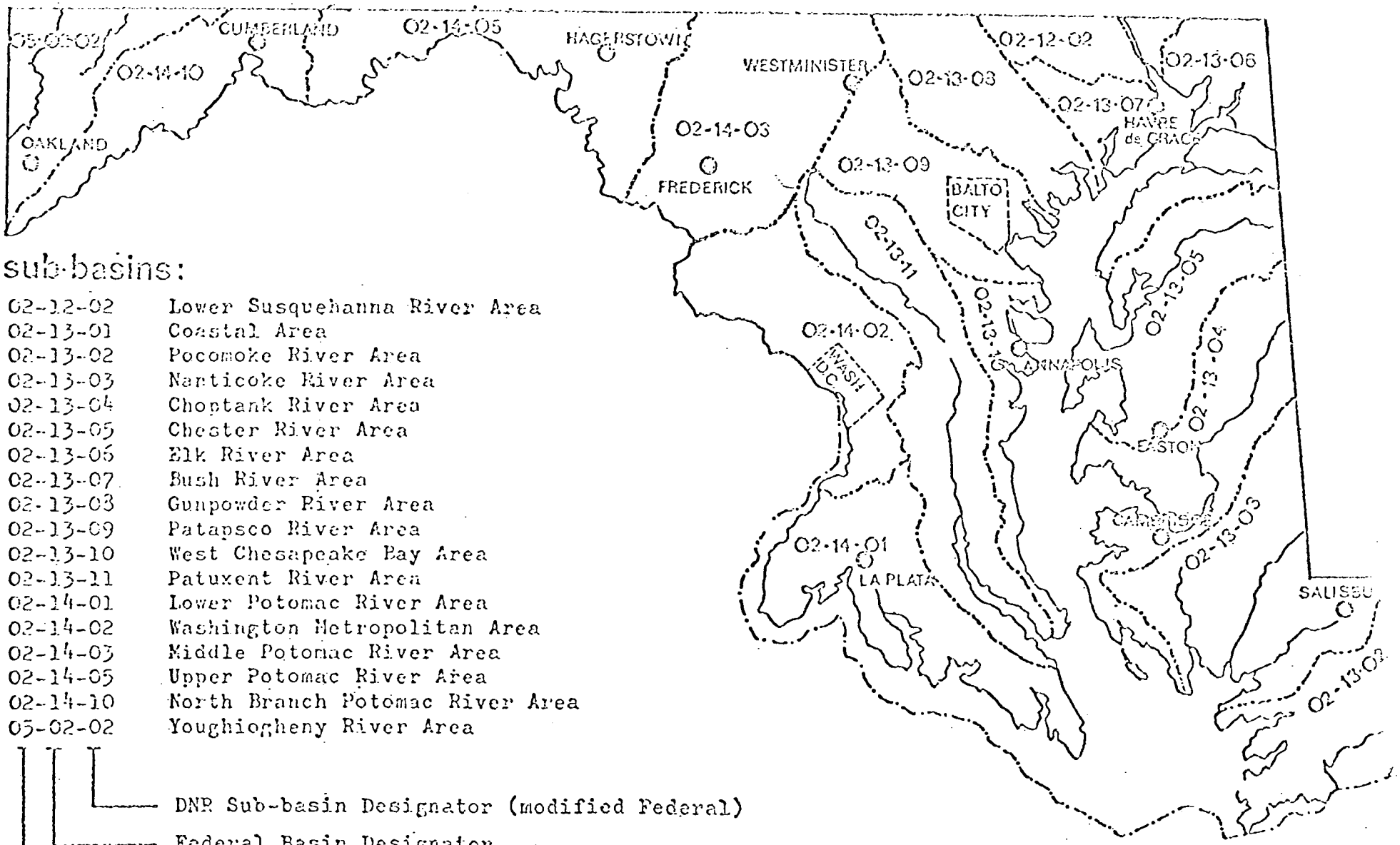
The Maryland Environmental Service utilizes the seven State Planning regions for its regional solid waste planning and facilities. However, it uses eighteen sub-basins for purposes of water quality activity. (See Map D, p. 86).



C. Department of Natural Resources

Regional Division

D. Water Resource Administration
MARYLAND SUB-BASIN DESIGNATIONS



sub-basins:

02-12-02	Lower Susquehanna River Area
02-13-01	Coastal Area
02-13-02	Pocomoke River Area
02-13-03	Nanticoke River Area
02-13-04	Choptank River Area
02-13-05	Chester River Area
02-13-06	Elk River Area
02-13-07	Bush River Area
02-13-08	Gunpowder River Area
02-13-09	Patapsco River Area
02-13-10	West Chesapeake Bay Area
02-13-11	Patuxent River Area
02-14-01	Lower Potomac River Area
02-14-02	Washington Metropolitan Area
02-14-03	Middle Potomac River Area
02-14-05	Upper Potomac River Area
02-14-10	North Branch Potomac River Area
05-02-02	Youghiogheny River Area

- DNR Sub-basin Designator (modified Federal)
- Federal Basin Designator
- Federal Major Basin Designator

The Cooperative Area Manpower Planning System based on federal legislation has sub-councils in each of the seven State Planning Regions.

The Development Credit Corporation, which makes loans to small businesses, has divided the State into five regions for its purposes: (See Map E, p. 88).

a) Central: Baltimore, Carroll, Harford and Howard Counties.

b) Eastern Shore: Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset, Talbot, Wicomico, and Worcester Counties.

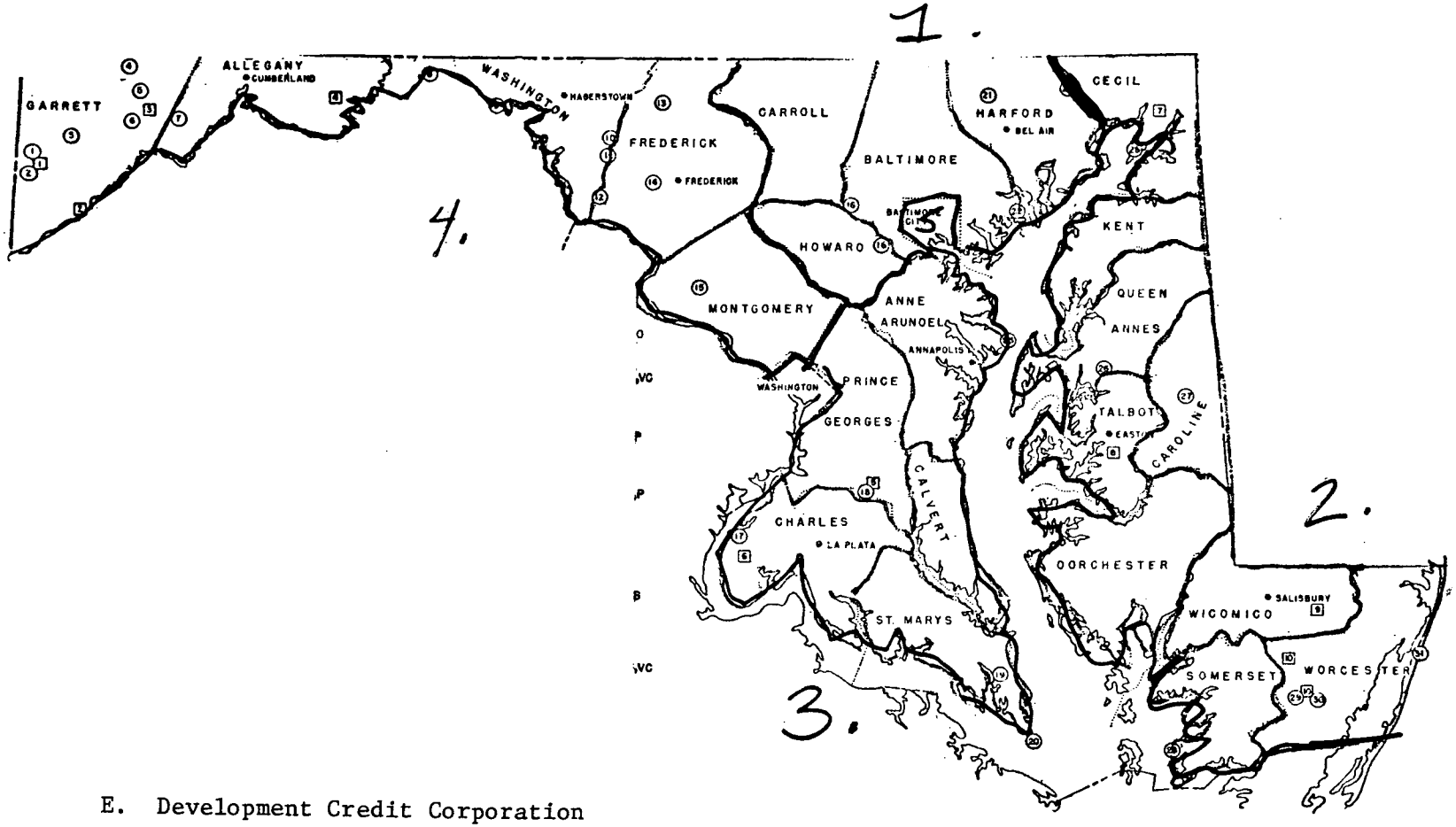
c) Southern: Anne Arundel, Calvert, Charles, Prince George's, and St. Mary's Counties.

d) Western: Allegany, Frederick, Garrett, Montgomery, and Washington Counties.

e) Baltimore City.

The Motor Vehicles Administration has established regional offices in Salisbury, Baltimore City, Cumberland, Hagerstown, Rockville, and Waldorf, and is planning additional regional offices in Cecil County and in Prince George's County.

Additionally, there are federal programs operating in Maryland which are based on a regional breakdown. The best known examples are the Local Development District (Washington, Garrett and Allegany Counties) stemming from the Appalachian Regional Development program and the Economic Development District (nine Eastern Shore counties) offspring of the Economic Development Administration. Numerous others such as comprehensive health planning, law enforcement planning, resource conservation and development, and air and water pollution control have regional aspects.



E. Development Credit Corporation

The Commission can:

a) Take no action on this issue.

b) Recommend that uniform regions or districts must be delineated for use by all state agencies, except where geographic or terrain factors such as watersheds predicate against uniformity, on the grounds that conflicting and overlapping regional boundaries often lead to confusion among local public officials and citizens as well as to the dilution of effective coordination and participation in public programs. [1]

c) Recommend that all regional office facilities of state agencies should be planned, leased, or constructed by a central state agency, on the grounds that the field operations of most state agencies could and should be under a single roof.

d. Recommend further study to suggest unified multi-jurisdictional regions for state agencies utilizing the regionalization concept in their performance of duties.

e) Recommend that state agencies currently using regional centers should use the same city, on the same grounds as item "b".

4. Creation of New Regional Entities

Various regional approaches have been discussed thus far, ranging from relatively simple procedures such as intergovernmental cooperation and agreements and contracts to the more complex questions of amplification or

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[1] ACIR has issued a model state bill "Statewide Substate Districting Act" implementing recommendations of the Commission made at its June 22,23, 1973 meeting. Copies of the bill are available on request.

dissolution of regional agencies and regional districting arrangements. It is obvious that with regard to these procedures, a high degree of efficacy correlates with a lower degree of political feasibility. In terms of political feasibility, the most difficult regional technique of all is the creation of a new areawide government. Realizing the political problems involved, the following arguments are advanced only because they are, after all, part of the catalogue of techniques said to achieve more rational and responsive government and more efficient and economical delivery of services.

Whether or not it is used, the General Assembly should have the specified authority to establish forms of local government other than municipal corporations or counties, such as multi-functional governmental entities with taxing and like powers. Because of rapid changes taking place in large metropolitan areas, and because metropolitan areas may extend into more than one county, the State should be in a position to afford leadership and, if necessary, supervision with respect to metropolitan area problems. The argument could be advanced also that decisions not to establish governments with areawide powers could lead to a greater loss of local control through continuous transfer of responsibilities to state and federal governments. The Commission can:

a) Take no action on this issue, on the grounds of its political sensitivity.

b) Recommend that the General Assembly authorize the creation of multi-county government units within or partly within a region designated by law, by the General Assembly, by the counties, or by affirmative action of a majority of

registered voters of the region, on the grounds that there is a need for enabling government structures in multi-county and metropolitan areas to carry out public responsibilities that are clearly areawide in scope.

c) Recommend that the General Assembly authorize county-municipal consolidation as a technique for change where urban growth has outraced municipal boundaries but where such urban growth is still substantially contained within the boundaries of one county.

d) Recommend that the General Assembly authorize the creation of regional councils with taxing authority and the power to coordinate the overall social, physical and economic development of an area, such as the Metropolitan Council for the Twin Cities area organized by the Minnesota Legislature in 1967, on the grounds that such a regional entity would be more acceptable than any other form of regional government.

5. Creation of Single - Function Regional Arrangements

One of the simplest means of a breakthrough from the past is on the functional level. Change in a system may proceed more easily on a function-by-function basis. If this is so, then it would entail the designation of certain functions as those most desirable for regional or area-wide performance, i.e., transportation, sewage systems, water supply, or even police or fire protection, and then the creation of a state regional or districting arrangement for their provision. It may be that certain functions such as hospital or airport provision should be examined on an

interstate regional basis. The Commission can:

a) Recommend the additional establishment of special purpose districts to deliver one or two functional programs, on the grounds that they are a mechanism to deliver local services on a regional basis.

b) Recommend against the further creation of special purpose districts, on the grounds that they are not politically accountable or responsive to coordination with other functional programs.

D. Conclusion

So many questions are raised by the regional approach to government and delivery of services that there is a tendency for both elected officials and citizens to slough off the entire question as one fought with too many dangers or uncertainties.

Does regionalism eliminate fragmentation of governments but at the same time create big government and big bureaucracy? Does it provide the citizen with less access and less accountability or prevent the provision of public services from being transferred to a still higher level of government more remote from the individual citizen?

Should a regional entity be only standard-setting and policy-making or should it be responsible for implementation? How can a regional agency be organized so as to ensure the widest representation of local citizens and local jurisdictions?

Can an areawide government be established in such a way as to alleviate the fears of smaller jurisdictions that they will be dominated by a central city or larger jurisdiction?

Is it possible to authorize regional arrangements without arousing the fears of minority groups that such arrangements are designed to deprive them of hard-earned political gains?

Do individuals ever think of themselves as citizens of a region in the same way that they view themselves as citizens of a town or state or nation?

What is the role of the federal government in regional government and in regional delivery of services?

The reform of government or provision of services is not often established in a whole piece; change is never without its detractors and dissenters. But the need for effective local government within a framework of state policy is great, and regionalism is an important element in the rationalization of local government . . . not as an end in itself.

Because the issues are complex, a simple "yes" or "no" on a ballot does not offer a suitable means of decision-making on this subject. Even though regional governance and regional performance of functions are complex subjects, they should still be explored. The "buck stops" in this case at the state level; the State must take responsibility for the timing and degree of change. If the Commission on Functions of Government does not explore these questions, who will?

APPENDIX E

INFORMATIONAL REPORT
ON
ECONOMIC DEVELOPMENT

INFORMATIONAL REPORT

ON

ECONOMIC DEVELOPMENT

JUNE 14, 1973

(For Discussion Only)

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HISTORICAL BACKGROUND

Before taking a comprehensive look at economic development in the State of Maryland, it is important that the meaning of this concept be fully understood, as well as how it evolved historically. Throughout any discussion of economic development, it is necessary to keep in mind that economic development is inextricably and universally tied up with the two following concepts: planning and development.

The first major 20th century impetus for organized development came from President Theodore Roosevelt. Since he was deeply concerned about the wasteful utilization of our natural resources, he fostered planning and development for American resources through his National Conservation Commission and the Country Life Commission. Thus, the early years following the Roosevelt administration saw the establishment of many departments of conservation or natural resources as agencies of state government. These years also witnessed the beginnings of comprehensive state planning in such areas as housing, both rural and urban, regional affairs, river basin planning, and also encountered the resurgence of city planning.

County-level planning and zoning also developed in the 1920's. During these years one of the earliest recorded multi-county area development movements began in the State of Wisconsin. This county planning and development program in Wisconsin, involving private citizen participation with local government leaders and technical staff, made studies and drew up plans for better land use practices to reduce the cost of local government services and increase the property tax base. Land was set aside for such purposes as

recreation, agriculture, settlement and industry. Later these committees combined rural and urban planning and development activities to create tri-county facilities.

The creation of the Tennessee Valley Authority (TVA) in May, 1933, and the National (Resources) Planning Board in July, 1933 were significant factors in the advancement of economic development planning. Both of these bodies parlayed the fact that for the conservation of our national resources, natural and human, and their best utilization, it is essential that long-range, region-wide planning be adopted by states and localities, as well as the federal government.

The end of World War II saw the emergence of a trend toward development on a state-wide basis. State economic development agencies generally began to replace the old state planning agencies. By the end of the 1940's, forty-six of the states had economic development agencies. Development overtook planning in the 1950's as the more popular approach to promote state and local growth. The concept of development was viewed as being more realistic, practical, and pragmatic than the planning approach.

During the 1940's and 1950's, the local public as well as the private development group movement reached its zenith with the spread of Chambers of Commerce, privately owned development organizations, private utility companies, and local government area development agencies, each actively promoting development. It was estimated that by 1958, 14,000 organizations devoted to area development were in existence in this country. State and local government planning and development, this time on an area-wide basis, was revived in the 1950's and 1960's, mainly because of the influence of supportive legislation. For example, the 701 Section of the Housing Act of 1954 called for the authorization of five million dollars of matching grants to metropolitan areas

and states to allow systematic planning for the elimination of urban slums. In 1965, metropolitan councils of governments or COG's were also covered by the 701 Section. COG's are distinct from most multi-county area development councils in that they are urban oriented and consist almost entirely of elected government officials or their representatives. Subsequent Housing and Urban Development Acts in the 1960's authorized supplemental funds for urban renewal and development where COG's were organized. This use of the federal "carrot," as well as the proverbial federal "stick," proved such an inducement to the COG movement that, by late 1967, the National Service to Regional Councils listed 86 councils of which 75 percent had been organized since January 1966. An additional 25 percent were in the process of formation.

Aid to non-urban depressed areas was made a major campaign issue by Senator John F. Kennedy in 1960 following his presidential primary campaign in West Virginia. The result of these campaign promises was Senate Bill 1, which was passed into law on May 1, 1961, creating the Area Redevelopment Administration. The Area Redevelopment Administration (ARA) was only partially successful, and, in fact, was succeeded by the Economic Development Administration (EDA), which was created by the Public Works and Economic Development Act of 1965. The reasons for the lack of success of ARA have often been listed as its limited financial resources and its over-zealous designation of counties as depressed areas within the first year.

Two unique features of the 1965 Act not found in the old ARA are as follows: First, it includes the designation of multi-county economic development districts consisting of two or more redevelopment areas and the inclusion of at least one major economic development center or growth center. Second, the 1965 Act called for creation of multi-state regional commissions on the request of the governors of two or more states to serve

much the same purpose as the Appalachian Regional Commission.

The Appalachian Regional Commission (ARC), a joint state-federal comprehensive planning and coordinating organization, had been created earlier in 1965. With Maryland's Governor Millard J. Tawes as one of the prime motivators in its creation, the State played a special role in the first of these major state-federal agencies to call for multi-jurisdictional area approaches. The multi-county organizations created under the perimeters of the ARC are referred to as local development districts but vary little from the economic development districts of the Economic Development Administration.

By 1969, five regional commissions designated by the Economic Development Administration had been created. They consist of the Four Corners, the Ozarks, the Coastal Plains, the Upper Great Lakes, and the New England Regional Planning Commissions.

THE STATE OF MARYLAND AND ECONOMIC DEVELOPMENT

Until 1959, economic development projects and policy in the State of Maryland were located in and carried out by a number of sources as follows: the State Department of Planning, various Chambers of Commerce on different governmental levels, and private business and realty groups. The main problem and objection to such an approach is that it consisted of piecemeal and uncoordinated efforts by different groups with no consensus in developing an economic plan for the State as a whole.

In 1959, the Maryland Department of Economic Development was created (Chapter 185, Acts of 1959) to fulfill the following pruposes:

(1) To advance the economic welfare of the people through programs and activities which develop in a proper manner the State's natural resources and economic opportunities pertaining to commerce, agriculture, mining, forestry, transportation, travel, tourism and recreation ...

(2) To promote and encourage the location of new industries in Maryland and to retain and help expand those industries which were already located in the State.

(3) To act in all other matters intended to foster and develop gainful employment for residents of the State.

In 1970, the Department of Economic Development became the Division of Economic Development within the newly created State Department of Economic and Community Development by order of Chapter 527, Acts of 1970 (Article 41, Section 257, Annotated Code).

In addition to the previously mentioned broad goals of the old department, which did not change, Section 257E, Paragraph (h) of Article 41 charged that "the Secretary shall create a Division of Tourism within the Department of Economic and Community Development to stimulate the interest of development of tourist business in Maryland."

STATE OF MARYLAND DIVISION OF ECONOMIC DEVELOPMENT (DED)

The following offices comprise the Division of Economic Development: General Administration, Business and Industrial Development, Public Relations and Publications, Federal and Field Liaison and the Office of Business Liaison (See Chart #1). Since the primary concern at this time is with line functions, the areas of concentration will be Business and Industrial Development, Federal and Field Liaison, and the Office of Business Liaison. Also included will be the Division of Tourism.

In analyzing the program and relationships of the above-mentioned offices, the general goal and specific objectives (which must be integrated so that all activities make a positive contribution to a common purpose) of the Division of Economic Development must be kept in mind. These are as follows:

General Goal - to become the guiding force behind the stimulation of sound investment leading to the best possible job opportunities, and the building of an economic base supportive of a total environment of the best possible quality in Maryland.

TABLE OF ORGANIZATION

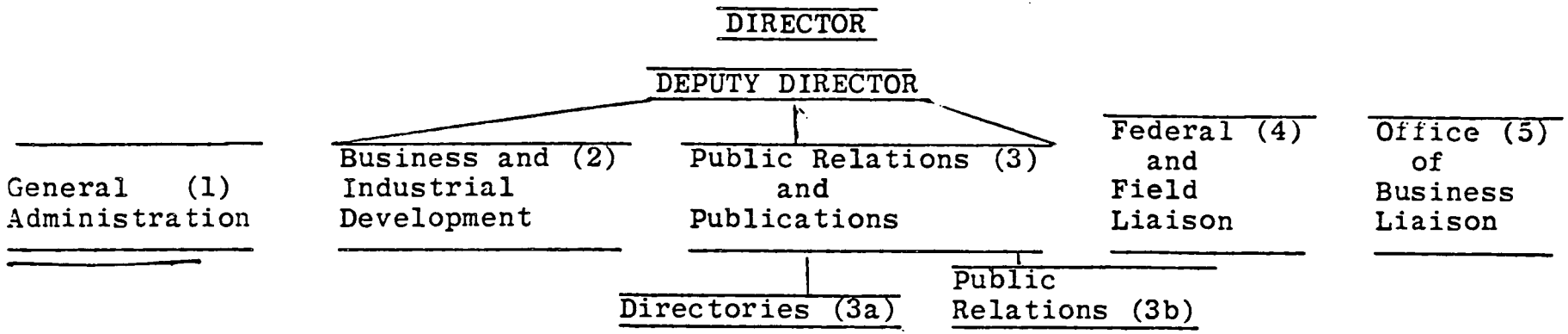

Chart Reference	Personnel Categories
(1)	Director, Deputy Director and their Secretaries
(2)	Chief, Four Industrial Representatives, One Economic Development Analyst I, European Industrial Representative* and Secretary, International Business Specialist*, and five secretarial staff
(3a)	Directories Editor and two secretarial-clerical staff
(3b)	Public Information Officer, Draftsman and a Secretary
(4)	Chief, Administrative Specialist, Economic Development Analyst III, Coordinator of Economic Development Programs and two secretaries
(5)	Manager, Assistant Manager*, Secretary

*These are not in the 1973 budget, but are presently in the 1974 budget request.

Specific Objectives -

1. To foster and assist the location of new businesses, and the expansion of existing enterprises in Maryland.
2. To provide overall coordination with and among, and assistance to state, regional, local, and federal development and development-related programs, so that maximum benefits for developmental purposes may be obtained from all sources -- federal, state, regional, local, or combinations thereof. This coordination includes the formulation, stimulation and guidance of projects with developmental potential.
3. To prepare, publish and disseminate informational material on Maryland's economic, natural, cultural and scientific resources in order to provide investors with up-to-date, accurate information vital to locational decisions.
4. To guide and assist local regional groups in identifying developmental opportunities, problems or deficiencies, and to assist in the beneficial exploitation, resolution or correction thereof.
5. To foster and maintain a favorable image of the State among potential investors and the general public.
6. To publicize Maryland events and information of economic development and development-related significance.

The primary offices and/or program areas of the above Division of Economic Development are as follows:

1. General Administration Program (GAP)

An important new program which falls under General Administration is

the Maryland Industrial Land Bank Program. The purposes of this program are to stimulate cooperation between the State and its political subdivisions in identifying industrial land shortages and to implement a program to correct these conditions, and to assist communities in implementing a viable economic development program by providing means for financing the acquisition of land suitable for the kinds of industry the area can hope to attract. Since the program is quite new, no loans have been consummated as of this date. Three counties, however, have submitted formal letters of intent expressing a desire to implement projects under the Act.

2. Business and Industrial Development Program (BID)

The Business and Industrial Development Office encompasses several programs which necessitate state-local cooperation to achieve their stated goals. Among the more time and effort consuming of these are the following:

(a) Prospect Handling

The purposes of this program are basically twofold: First, the prospective investor must be assured that he has received all the information and assistance required for a locational decision in a community of his choice. Second, it is BID's responsibility to aid local communities in every way possible to insure that they exert a reasonable effort to compete with communities of other states to obtain investments which will make a beneficial contribution toward the achievement of community goals.

During calendar year 1971, the Office of Business and Industrial Development (1) assisted 148 firms in their site location search, and (2) conducted visitations for 107 prospects. This activity resulted in the establishment of nine new firms in Maryland.

(b) Community Liaison on Industrial Development Efforts

The purposes of the above program are to augment the professional skill available at the local level in planning the industrial development program and to assist local leaders in solving problems which could inhibit the achievement of community goals.

In this area in 1971 and 1972, various staff members worked directly with county economic development staff members to help plan and develop industrial parks in the City of Bowie and Calvert, Charles and Somerset Counties. Also, the Director and Deputy Director advised the Economic Development Committee of Federalsburg in its efforts to develop a crash program to alleviate a sudden rise in unemployment. Advice was also provided to a private corporation on the Eastern Shore to assist the tomato canning industry in reversing a downward trend. This contribution consisted of guidance in obtaining financing for the mechanization of harvesting and peeling equipment.

Other responsibilities of the Community Liaison on Industrial Development Efforts Office are as follows: (1) Publication of Community Economic Inventories, and Brief Industrial Facts pamphlets, and miscellaneous publications such as the Tax Digest, the Basic Plant Location Data Book and Opportunity Studies; (2) Advertising for, developing information on, and direct solicitation of selected firms who have shown an interest in locating in Maryland; and (3) Proposing legislation to improve the State's competitiveness for new industry.

3. Public Relations and Publications (PRP)

The chief function of this office is to inform prospective businesses of the advantages of locating in Maryland, and to help local government acquire

the necessary tools and skills to induce these businesses to come to the State. The main methods employed by PRP to attain these aims are a combination of informational publications, speeches and the conference-seminar-workshop approach.

(a) Publications

The Directory of Maryland Manufacturers compiles a complete listing of all Maryland manufacturers to provide both a marketing tool for Maryland businesses as well as outside business and a ready source of information for prospects requiring data concerning specific functional and geographic areas.

The Directory of Science Resources provides information about Maryland science-oriented firms and agencies as a linkage resource for the entire Maryland science industry community. It also provides prospective new science industry investors with data concerning firms capable of providing related engineering and other professional services and is a marketing tool for firms selling goods and services to science-oriented industry.

The Directory of Maryland Exporter-Importers details a listing of Maryland businesses currently engaged in or seriously considering involvement in international economic activity.

(b) Conferences - Seminars - Workshops

Conferences and seminars are held to stimulate local interest in economic development and to provide deeper insight on key issues which tend to inhibit economic development. They also help develop a basis for mutual understanding among various interdependent sectors of the public. In 1971, two regional economic development seminars were held with an average attendance of about seventy-five, in addition to two

state-wide economic development conferences with an average attendance of 150.

Financial workshops are held to improve the ability of local development groups, bankers, and businessmen to use state and federal industrial financing tools to stimulate the local economy. In other words, one of the topics at a financing workshop may be how one can acquire the capital to start a new business (through MIDFA). During the past year, three financing workshops were held (Lower Eastern Shore, Upper Eastern Shore and Western Maryland) with an average attendance of about sixty.

4. Office of Federal and Field Liaison (FFL)[1]

The Office of Federal and Field Liaison coordinates developmental and developmental-related Federal programs and opportunities. This is accomplished chiefly through the Appalachian Regional Commission (ARC), and the Economic Development Administration (EDA) of the U.S. Department of Commerce. DED is the state coordinating agency of both the Appalachian Regional Commission and the Economic Development Administration.

The area that is eligible under the Appalachian Regional Commission in Maryland consists of Allegany, Garrett and Washington Counties. The ARC's purpose is to assist the region in meeting its special problems, to promote its economic development, and to establish a framework for joint federal and state efforts toward providing the basic facilities essential to its growth. Some of the ARC projects included in the 1973 fiscal year program are as follows: (1) Access roads for a total of approximately $700,000, (2) Twelve to fourteen vocational-education projects - approximately $3,560,000, (3) health services projects -- about one million dollars, and (4) water and

[1]To be transferred to the Community Development Administration (CDA) by April, 1974, and renamed the Office of Regional Coordination.

sewer systems -- approximately $4,000,000.

The purpose of the Economic Development Administration is to provide employment opportunities for those regions, counties and municipalities which have relatively higher unemployment and underemployment according to criteria set by the law and prescribed by the U.S. Department of Commerce. These employment opportunities are created by providing grant funds to invest in (1) constructing new and/or expanding existing public works facilities, (2) in developing sites for industrial uses, (3) in providing business loans, and (4) in studies for economic feasibility and impact, and in technical assistance for planning and economic development district planning and administrative grants.

During 1972, FFL assisted in the preparation of numerous proposals for communities to obtain EDA grants. Some are as follows: (a) Chestertown, Kent County - sewer and water extension - EDA $208,600, Total $298,000, (b) Cambridge, Dorchester County - sewer and water extension and neighborhood improvements - EDA $431,880, Total $539,850, (c) Crisfield, Somerset County - sewer and water extension, Phase II - EDA $800,000, Total $1,000,000, and (d) Federalsburg, Caroline County - sewer and water extension - EDA $300,000, Total $410,000. The preceding list is not all inclusive. Of the total list of proposals prepared, however, only those of Crisfield and Federalsburg were actually successful in receiving EDA funds.

In addition to ARC and EDA activities, the FFL also provides liaison, administrative and technical assistance to agencies such as the Delmarva Advisory Council and the Maryland Rural Affairs Council, and grants assistance on miscellaneous programs such as the State Aviation Administration Studies and State Highway Administration Projects involving developmental

transportation systems.

5. Office of Business Liaison (OBL)

The purposes of this office are to improve liaison with existing businesses throughout the State and to expedite the solution of businessmen's problems involving government agencies. Hopefully, this will encourage the expansion of existing industry by ascertaining that all businesses are aware of state programs of assistance applicable to industrial expansion. In brief, then, it will be the role of the Business Liaison Officer to function as an ombudsman for all members of the Maryland business community.

The above function, until recently, had been handled by the Business and Industrial Development Office under its Aid to Existing Industry Program. In the future, if the inquiry concerns expansion, relocation, labor, training or financing, the BID staff will handle it. Inquiries relating to all other matters will be referred to the Office of Business Liaison.

Because OBL is a new program, there has been insufficient time to analyze any results as of yet.

6. New DED Program Priorities

Two significant new positions which the State Department of Economic Development feels are necessary to attain its overall goal are:

(a) European Industrial Development Representative

The person listed above, along with an assistant, would be primarily responsible for attracting industrial investment by European manufacturers into the State of Maryland. A European office would be established to accomplish this purpose.

(b) International Business Specialist

This position would be based in the Annapolis office of DED. Its

primary mission would be to educate the small and medium size businessman on how to export and deal with paper work and how to obtain specific trade leads.[1]

DIVISION OF TOURISM

In the past the Division of Tourism has been criticized as being too narrow in its approach to luring tourists into the State. It has been contended that Maryland's tourism program was one-pronged in that it depended entirely on media promotion or public relation methods. Thus, Maryland lagged behind its neighboring States in attracting dollar-spending tourists to the area.

In the past month, however, partly as a result of a study conducted by the consulting firm of A.D.Little, the State has broadened its approach to attracting tourists by reorganizing the Division of Tourism and by implementing new ideas and programs.

In addition to promotion (public relations), the Division of Tourism will institute two new program areas. The first will concentrate on constructing new, and expanding and refurbishing old recreational and cultural facilities which are necessary in attracting tourists from out-of-State. Second, the Division of Tourism intends to work more closely with local communities in developing tourist attractions. In this area, the Division of Tourism has not intention of developing a "State Tourism Plan." Instead, the State will work closely with local government in conceptualizing and developing any ideas which the localities may have to utilize their natural and man-made assets in order to strengthen their tourist trade. In other words, the Division of Tourism will function chiefly as an advisory and

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[1] Since this report was first printed the Division of Economic Development has been reorganized. For further detail see Appendix I page 32

research arm. In addition, the Division of Tourism will work more closely with bus tour operators and professional travel agents to promote tourism throughout the State.

Paralleling these new approaches, two bills were enacted in the recent General Assembly Session to obtain additional revenue to support these programs. The first bill involved a new room tax, to be collected by all the Counties and Baltimore City. Fifty percent of the revenues from this source would have been returned to the State, while the remaining fifty percent would have been returned to the localities for tourism purposes. This bill, however, was vetoed because of administrative difficulties. A promise of additional funds from the General Assembly was offered in its place.

In addition to the above, a bill was enacted allowing the Maryland Industrial Development Financing Authority (MIDFA) to guarantee repayment of up to 80% on loans concerning tourism enterprises. This bill was approved and is now law.

BUDGETARY STATISTICS
DIVISION OF ECONOMIC DEVELOPMENT

(All figures are for Fiscal Year 1973)

SUMMARY OF DIVISION OF ECONOMIC DEVELOPMENT

Net Total General Fund Expenditure	$843,293
Special Fund Expenditure	15,000
Federal Fund Expenditure	---
	$858,293

General Administration

Net General Fund Expenditure	$113,761

Business and Industrial Development

Net General Fund Expenditure	$261,214

Public Relations and Publications

Net General Fund Expenditure	$232,475
Special Fund Expenditure (Derived from Sale of Directory of Maryland Manufacturers)	$ 15,000
	$247,475

Federal and Field Liaison

Net General Fund Expenditure	$210,427

Office of Business Liaison

Net General Fund Expenditure	$ 25,416

DIVISION OF TOURISM

Net General Fund Expenditure	$539,038

ECONOMIC DEVELOPMENT ON THE LOCAL GOVERNMENT LEVEL IN MARYLAND

Although each Economic Development Department, or Economic Development Commission or Committee, has its own unique set of characteristics and problems on the local government level, there are certain parallels or similarities among them which can be drawn.

1. Background and Organization

All of the local government Economic Development Departments, Commissions, or Committees which have been studied evolved since the late 1950's. Before their existence a variety of groups including Chambers of Commerce, public

utility companies, realty associates, planning offices, and private business organizations dealt with the function of economic development. Economic Development Agencies evolved, it has been said, because of the need for a concentrated and coordinated effort to construct a balanced program of economic development for a given geographic region. In Maryland, the geographic region where Economic Development Agencies mainly evolved on the local level was the County. A question raised several times while gathering material for this report was: Has the need for Economic Development Agencies been matched with an interest in such by the local governing body? There appears to be no clear-cut answer to this question as the amounts of funding (and non-funding) by local governments to their respective Economic Development Agencies will show.

Baltimore City, Prince George's County, Montgomery County and Talbot County have their Economic Development Agencies organized in a departmental fashion. In Prince George's County, the Economic Development Commission, which existed before Charter government was adopted in 1970, has been retained as an advisory committee. Howard County's economic development arm is called the Department of Industrial Development.

All of the other Counties studied possess some form of an Economic Development Commission. This type of arrangement is organizationally different from a department in that the Commission members, if enough funding is available, usually have a small, separate staff to conduct research and promotion work, while the Commission members themselves act as a policy-making body (Harford County). In some cases, where adequate funding is not available, e.g. Kent and Dorchester Counties, Commission members must act as both staff and policy-makers. Cecil County has somewhat of a unique arrangement. In

this County, the Economic Development Commission members are non-paid, while the County Planning Office staff (that is salaried) is directed to devote one-half their time to economic development work. It was in fact proposed that the Economic Development Commission pay one-half the Planning Director's salary out of their operating budget, however, Cecil County rejected this idea, and his whole salary is paid by the County.

No matter what the size or complexity of the local jurisdiction, one characteristic that all local Economic Development Agencies share is the relatively small staff size. Even in the largest jurisdictions, a director, one or two specialists and a full-time secretary is considered a sizable staff. In Talbot County, the Executive Director of the Economic Development Department is the staff's only member.

2. Programs and Priorities

In speaking with a great number of Directors of Economic Development Agencies throughout the State, it became quite clear that different Counties define economic development in various ways. Essentially, however, it appears that economic development in Maryland is chiefly defined in two ways; one is a broader definition than the other.

First, in the broader panorama, economic development can be defined in two words: jobs and taxes. Jobs equal people, while taxes equal types of companies, businesses, and locations and sizes of such. A more narrow definition of economic development is industrial development, that is, locating new factories (businesses) in an area. There is usually general agreement among Maryland's economic developers that while such a definition and policy is fine for the more undeveloped jurisdictions like Western Maryland or the Eastern Shore, it is not for such an area as Baltimore City. That is, it is

asserted, that a developed jurisdiction, such as Baltimore City, should be more concerned with retaining and aiding in the expansion of the many firms already located within its boundaries.

More important, however, than the broadness or narrowness of defining economic development (as essentially it would appear to mean more jobs, better pay and a higher tax base) are the various methods utilized by the many local governments in pursuing this elusive aim. In a real sense, it is by observing these different methods that one can really gauge what economic development is to a particular County or Municipality.

Several examples follow:

Baltimore City, as previously noted, is at least as interested in keeping what industry it has within its boundaries as it is in bringing new industry into the City, and its programs within the City Department of Economic Development (DED) reflect this attitude.

The Planned Visitation Program is one of visiting companies regularly to discover their problems and then helping to solve them. A program such as this keeps businesses in Baltimore, and recently this program has been expanded to include hospitals. Also, the Society of Industrial Realtors works with Baltimore's DED in attempting to match up prospective industrial clients with the proper realtor.

Both Prince George's and Montgomery Counties are interested in promoting their economic development in two distinct ways: First, both desire to bring

new industry into their respective domains, and second, both Counties garner a good deal of the overflow from the Washington, D.C. tourist trade.

It is in the first area where many problems have arisen for these two urban-suburban Counties. The Prince George's County Economic Development Department (EDD) is concerned that the County is growing economically without any strategy. Thus, the EDD is presently in the final stages of formulating a 6-year Economic Development Plan which is to be completed by July 1, 1973. Prince George's economic development officials also feel that Montgomery County has done a better job in making new industry being brought into the County look more physically attractive, and thus, less offensive to the citizenry. These same officials deny that the reason for this is that Montgomery County has only brought in "clean industry types." According to the Prince George's EDD, "there is no reason why a warehouse cannot be physically attractive."

Finally, both Prince George's and Montgomery Counties are both stymied at the present time in openly soliciting new industry because of the "sewer moratorium." Because the existing sewerage treatment plants are all overtaxed, no new buildings for industries can be constructed within the Counties until this problem is solved.

According to the Economic Development Committee (EDC) of St. Mary's County, tourism and economic development are almost synonymous terms here. The St. Mary's EDC spends most of its time and energies trying to attract tourists by promoting the County's excellent recreational facilities and points of historical interest. Some light industry (the Minitec Electronic Plant located in 1966) and commercial fishing, especially the soft clam industry is also important in St. Mary's County.

Talbot and Cecil Counties, on the other hand, spend about 50% of their time promoting tourism and the other 50% trying to attract the "proper type of clean, light industry" in order to enhance their economic development processes. Dorchester County's Economic Development Commission (EDC) believes that economic development essentially means creating new jobs through industry. Thus, this EDC has brought in 18 new industries since its creation in 1958. Of these industries, 14 still remain. Promoting tourism in the County is not, and never has been, a prime concern of the Dorchester County EDC. Washington County reports that the overall function of its Economic Development Commission is to "increase the County tax base and provide additional job opportunities." Finally, one could almost certainly assume that since Howard County's economic development arm is entitled the Department of Industrial Development, its principal function is also industrial growth in the County.

3. Funding and Budgetary Affairs

The funding of local government economic development agencies appears to possess few consistencies except that the personnel of each insisted that his respective agency could use more funds than it presently receives. The following quote from the Talbot County Economic Development Department's Annual Report is indicative of what was echoed by most of the other jurisdictions: "The $8,000 budgeted for this department is spread over quite a wide area of endeavor, and thus, such a limited budget inhibits the potential of this Department."

Below are some examples of how economic development agencies in localities in the State of Maryland are funded, plus relevant remarks pertaining to such.

(a) Prince George's County (1974) $110,000 Total - $78,000 for salaries;

$32,000 for operating expenses. Totally funded by County General Funds.

(b) Cecil County - presently involved in a battle to cut 1974 approved funds from $4,000 to $3,000. Total from County General Funds.

(c) Talbot County - (1974) $8,000 operating expenses; all from General Fund resources.

(d) Harford County - (1974) $6,000 operating expenses; all from General Funds of the County.

(e) Dorchester County receives no funds from the County - operates on dues received by Chamber of Commerce. Commission members are volunteers.

(f) Kent County receives no funds from the County - Commission members are volunteers, however, they are reimbursed for attending seminars and other such expenses by the County.

Naturally, it should be added that in certain project areas both state and federal funds have been and still are available to local economic development agencies provided certain requirements and guidelines are maintained. According to one official, however, larger agencies have an easier time gaining such funds because their programs are greater in scope.

4. Relationships

The three dominant variables both on the intra-governmental and intergovernmental levels, which tend to determine what relationships will be like, appear to be (a) the stage of economic development a local jurisdiction has reached, (b) the degree to which one jurisdiction has similar interests with another, and (c) the closeness to the local jurisdiction of a large and available labor force both skilled and unskilled. When these three factors are present, relationships among local jurisdictions appear to be less independent of each other, and thus, more cooperative. Two examples are: (1)

Prince George's and Montgomery Counties which work together and advise each other on several joint projects both informally, and formally, through their membership in the Metropolitan Washington Board of Trade (MWBT), (2) the Baltimore SMSA Economic Development Group, consisting of Baltimore City and Baltimore, Howard, Anne Arundel, Carroll, and Harford Counties, which meet monthly to informally discuss common problem areas concerning economic development. On the other hand, several Counties on the central and northern Eastern Shore maintained that their economic development plans are fairly independent of neighboring Counties, and in fact, even of Municipalities within their boundaries.

There were differing views concerning the State of Maryland Division of Economic Development (DED) and local government relationships. A few localities were quite extensive in praising the advice, personnel, and actual aid they received from DED. Several other localities said they had no complaints, but "really, we don't bother with them much over there." A couple of jurisdictions, such as Prince George's and Montgomery Counties admitted, quite understandably, that their loyalties were somewhat divided between DED and the MWBT. However, neither of the above cited any specific complaints against DED. One official insisted that relationships with DED depended almost entirely on what the administration in power at the time considered the importance of economic development to be. Finally, two officials, who had been emphatic in their praise concerning DED, bluntly stated that jurisdictions which criticize DED's efforts are those "who are too lazy to investigate what DED has to offer." In general, the last view appears to be somewhat germane in that both a developed urban County and a semi-developed rural County remarked when questioned about local-state relationships that

"DED probably would have been more helpful if we had bothered to ask them to aid us with our individual problems."

MULTI-JURISDICTIONAL ORGANIZATIONS
(LOCAL DEVELOPMENT DISTRICTS AND ECONOMIC DEVELOPMENT DISTRICTS)

The primary purpose of both local development districts and economic development districts is to encourage the establishment of a multi-county district planning capability and thereby assure effective utilization of resources in creating full-time permanent jobs for the unemployed and the underemployed. In other words, the purpose of both local development districts and economic development districts is to stimulate public investments in public facilities to attract private investments.

At the present time, Maryland has one economic development district and one local development district. The economic development district consists of the nine Maryland Eastern Shore Counties, three in Delaware and two in Virginia. The coordinating body is the Delmarva Advisory Council (DAC). The following citizens' organizations are within the framework of DAC: (1) Agriculture Committee, (2) Conservation Committee, (3) Seafood Committee, and (4) Education Committee (See Attachment 1). Funding for the DAC is both Federal and State; however, the state portion is not statutory. The three State governors agreed to share the 25% portion of 25%-75% matching federal funds. Of the State contribution Maryland pays 53%, Delaware, 34%; and Virginia, 13%. The main suggestion of the DAC staff to improve its delivery of services is to give the agency more responsibility through action programs instead of just an advisory role.

The local development district in Maryland under the Appalachian Regional

CITIZENS' ORGANIZATIONS WITHIN
DELMARVA ADVISORY COUNCIL

(a) There are the following citizens' organizations within the framework of DAC:

(1) Agriculture Committee: This committee's responsibility is to act as a sounding board in relationship with agricultural problems and trends that will affect the industry on the Shore.

(2) Conservation Committee: This is a very active committee who has very successfully responded to the many needs dealing with conservation practices and planning. This group is now working on a project that will eliminate a minimum of 1000 junk cars on the Shore through the use of car crushers. The students of many high schools have mapped locations and provided leases to owners so the National Guard units can haul them to a central location to be crushed and removed.

(3) Seafood Committee: This committee is also very active and has held seafood seminars and just recently co-sponsored with the Department of Commerce the first sport fishing forum held in the United States. About 4500 people attended the two-day session.

(4) Education Committee: Their goal is to improve education programs and educational facilities throughout the Shore. The committee meets in different areas of Delmarva in order for the educators to have a better understanding of what is being done in this critical field. This committee is very actively engaged in a program called "World of Work" and is being directed by a full-time staff member, one Keith Smith of Salisbury. The idea behind this program is to familiarize juniors and seniors in our high schools as to the needs of industry, and for industry to have a better understanding of this future work force. Students are being taught how to apply for jobs, fill out job applications, and in some cases, to assume the proper attitude when one applies for a job.

(b) All committees have been functioning for the past eight years with varying degrees of success.

Commission includes Washington, Allegany and Garrett Counties, and is administered by the Tri-County Council for Western Maryland, Inc. According to ARC standards, local development districts must be able to perform as wide a range of area-wide planning, coordination, and development functions as possible. They should encourage citizen involvement in district planning and development programs. At the present time funding is by federal (when specifically applied for) and local sources. The Tri-County Council for Western Maryland, Inc., has made application for designation as an economic development district, and EDA is now deliberating this case.

The State Division of Economic Development contends that the greatest issues related to local development districts and/or economic development districts are (1) overlap and duplication; and (2) jurisdiction.

The overlap and duplication comes from the fact that these districts are established primarily as planning and coordinating agencies for development but, in fact, they do a lot of other things and very little regional planning. The staffs are necessarily limited in most cases, and thus become primarily grantsmen (i.e., obtaining grants for local government agencies). As grantsmen they become involved with much program and project manipulation, which may or may not be integrated with state agencies having responsibilities in these areas. This is where jurisdictional problems originate.

There is no clear chain of command. The local development districts/economic development districts have their own Board of Directors, which are supposed to set policy generally for projects and programs for which they are not responsible as an agency, even though as elected officials they do have project and program administration. Thus, the local development districts/economic development districts are both competing with themselves for setting policy and also find themselves competing with functional state agencies

which quite properly have both the responsibility and authority for policy matters.

In actuality, local development districts/economic development districts do not have clear-cut assigned functions. Their objectives and goals are spelled out in broad, general terms and are not qualified. Thus, it seems that the greatest difficulty is that local development districts/economic development districts have many assumed responsibilities as regional planning and development agencies but no authority. They are created under the guise of preparing regional development plans and administering programs and projects but really perform as grantsmen.

Several local government economic development agencies which were interviewed said that they agreed in part with the above State DED position, but disagreed with the cause. Most localities expressed the view that "the least government was the best government and were opposed to too much state control." Thus, they felt that the reason local development districts are stripped of their authority to be responsible for regional planning and development is mainly because the State will not allow the local development districts/economic development districts to be autonomous in the policy-making sphere. Most localities agreed that local development districts should not be completely autonomous, that is, they have definite responsibilities to the economic development of the State as one whole, integral unit. However, it was felt that as long as these local development districts/economic development districts (and other local special-purpose development districts) worked and planned within the guidelines of a State Development Plan, then they should be allowed to make definite planning and developmental decisions concerning the regions which they serve.

For a comparison of ARC (local development district) characteristics with EDA (economic development district) characteristics, see Chart #2.

CHART # 2

A COMPARISON OF ARC (LOCAL DEVELOPMENT DISTRICTS) AND EDA (ECONOMIC DEVELOPMENT DISTRICTS) CHARACTERISTICS

Characteristic	ARC	EDA
Year of enactment	1965	1965
Funding of areawide program FY'72 - millions	66.6	147.7
General purpose of program	Start region on way to social & econ develop	Create jobs
Target Groups	People of Appalachia, mainly rural	Under-employed & unemployed
Eligible areas	13 states & multi-county districts within them	Multi-county districts with no city over 250,000 pop

	ARC Local Development Districts	EDA Economic Development Districts
# regions funded or designated	70	124
% of nat'l pop served	9	18
Membership of district	Elected officials & citizens at large	Includes private interests budge control by local elected officials
State role	State designates org.	Fed. designation at request of the Governor
Geographic coverage	Metrop. or non-metrop.	Metrop. or non-metrop.
Designation resp.'s for reg'l boundaries	State	State
Frequency with which plans are prepared	Annually	Annually
Environmental requirements	Follows general federal policy	Specific requirements
Citizen participation	Specifically required	Specific requirements

(Source for tabular presentation: OMB, Catalog of Federal Domestic Assistance, 6th Edition, Washington, D.C.: GPO, 1972; Federal Register, Program Guides and Directories)

SUMMARY AND PERSPECTIVE

It would appear that the major goal among both state and local economic development officials in Maryland is to develop a state-wide balanced economic program which would benefit local political and/or geographic jurisdictions individually, as well as the State as a whole. Essential to this type of plan is a consensus of what the term economic development actually comprises. In other words, what is economic development? Is it simply supplying jobs and extending the tax base, or does it go much further?

If an agreement can be reached that the preceding is the necessary skeletal base of any economic development program, then what methods and procedures can be used to arrive at this goal? That is, should the program simply concentrate on bringing in new industry and retaining and expanding industry that already exists in the State in order to provide the maximum percentage of employment possible? Or is such a step only the minimum needed? For example, does the Division of Tourism belong in the economic development arena, or would it and the needs of its clients be better served in a possible future State Department of Recreation? Again, does urban renewal belong solely in the community development category? What about the fact that urban renewal contracts certainly provide as many jobs as the majority of new factories which have located in Maryland.

Basically, in these two cases, the questions are: What is economic development, and how does one attain it? More specifically, how does one separate the recreational aspects of Tourism from its economic development characteristics? Again, how does one separate the community development aspects of urban renewal from its economic development characteristics? If

the questions here were simply ones of semantics or academic in nature, they would not be important. They are important, however, because surrounding these questions are the types of programs which both the State and localities settle on to bring about economic development.

A second overriding issue-area in the economic development field is role-relationship between the State and the localities. What are the distinct roles of the State, local government and economic development districts/local development districts (as well as other special-type districts) in economic development? For example, are economic development districts/local development districts usurping and duplicating State services (or simply acting as grantsmen as some have contended), or do such bodies actually serve a policy-making and program-formulating purpose? Why is it that some less-developed (and usually less wealthy) Counties show little interest in their own economic development agencies, while at the same time complaining that the State Economic Development Administration unfairly favors Counties which are already very economically developed? What can be done to solve the apparent communication problem which exists between the State DED and certain localities? Is the answer more State funds and additional liaison personnel, or is it the responsibility of the localities to be more interested in deciphering their own economic needs, and more aggressive in taking the initiative to discover what State and federal aid is available to them?

Finally, are economic development agencies duplicating the efforts of other state and local agencies in certain service areas? Take for example the area of pollution control where effective programs must exist if industrial economic development is to gain public support. At the present time, pollution control programs are being developed and/or operated by several federal,

state and local agencies. Localities can obtain loans from MES, direct grants from EDA (to be terminated by June 30, 1973), EPA, and ARC contracts for water and sewerage projects. With so many sources available, how does a locality know which is the best to choose? Is it merely a system of trial and error? Is there duplication of effort, at the minimum, and possibly of services in some of these cases?

It would seem that the preceding issue areas must be approached in some fashion before a comprehensive state economic development plan, with the participation of all parties involved, can be obtained for the State of Maryland.

Appendix I 1975 update of the organization.

The five divisions of the Division of Economic Development have been replaced by a Division of Business and Industrial Development which includes the Office of Business Liaison. The Office of Federal and Field Liaison has been transferred to the Community Development Administration. The responsibilities of the Division of Public Relations and General Administration have been assumed by departmental units.

APPENDIX F

INFORMATIONAL REPORT
ON
COMMUNITY DEVELOPMENT

INFORMATIONAL REPORT

ON

COMMUNITY DEVELOPMENT

APRIL 15, 1974

(For Discussion Only)

MARYLAND COMMISSION ON THE FUNCTIONS OF GOVERNMENT

EXECUTIVE BUILDING
140 MAIN STREET
ROOM 301
ANNAPOLIS, MARYLAND 21041

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I. INTRODUCTION

The functional area of community development continues to require the attention, and occupy the time, of many of our nation's officials on the federal, state and local levels. Urban blight, sprawling suburbia, and growth, as well as rural poverty, are all primary concerns of many people in society today. To date, however, there appears to exist an intergovernmental problem in deciding how to deal effectively with community problems, and in turn, to promote acceptable community development.

A large part of this intergovernmental problem evolves from the difficulty of arriving at a common definition of community development, and from the difference of opinions concerning what functions and programs should be included within any community development agency. Is community development purely physical in nature--housing, roads, transportation--or should it also be concerned with the social needs of its clients--social services, recreation, health? Who are, or should be, a community development agency's clientele? Do only low-income citizens qualify? Or, do the middle-class, and even the wealthy, also qualify for community development programs. Can and should clear cut dimensions be established which separate community development and other functional areas such as transportation, social services, water and sewerage, recreation, and education so as to provide services which are necessary, while at the same time avoiding duplication?

Article 41, Section 266 DD-1 of the Annotated Code of Maryland sets forth the need for "sound community development" which is due to the rapid population growth and expansion and increasing urbanization of the State. Does the preceding imply that community development programs be concerned only with the larger metropolitan areas, or should they also try to solve some of the dilemmas that smaller, more rural areas of the State encompass?

On September 9, 1965, Public Law 89-174 established the Department of Housing and Urban Development (HUD). Its primary purpose is to provide assistance for housing and for the development of the nation's communities. HUD's duties included the coordination of federal activities that affect housing and urban development and to provide technical assistance and information, including a clearinghouse service to aid state, county, city, town or other local governments in developing solutions to community and metropolitan development problems.

From the preceding statements a definition of community development begins to emerge. First, the need for adequate housing for all is an essential ingredient when formulating community development policy. However, the mere construction of low and moderate income housing is most likely not sufficient enough criterion in itself to warrant the label of community development.

Housing can possibly be considered as the base point in community development, that is, using housing as a nucleus the definition of community development is now able to be expanded. First, an assessment

must be made as to who will be living in the development, what their needs are, and what services must be provided so that the community can become a cohesive working unit with its inhabitants functioning in a manner similar to any other community. This is the essence of community development.

If the housing project is primarily for the aged, are there adequate transportation facilities? Also, are shops within walking distance available? If many young people will be living in a new, planned community, will the school system be adequate to serve their educational needs? For all proposed developments, are there health facilities located nearby? All these variables, and many more, must be considered when "sound community development" is being discussed.

This paper will discuss what the State of Maryland, its Counties, and its Municipalities are doing to improve the communities of Maryland. In addition, the federal government's role, as both an active participant and an outside guiding force in community development policy formulation and program implementation will also be described. Issue-areas and relationships between jurisdictions will be discussed in the context of the two sections of this paper concerned with community development on the state and local levels.

II. FEDERAL GUIDELINES IN COMMUNITY DEVELOPMENT

As previously mentioned, the main purpose of the U. S. Department of Housing and Urban Development (HUD), created in 1965, is to provide assistance for housing and for the development of the nation's communities.

HUD was charged with the responsibility of coordinating federal activities that affect housing and urban development and of providing technical assistance and information including a clearinghouse service to aid state, county, city, town, or other local governments in developing solutions to community and metropolitan development problems.

Initially, HUD related to and assisted state and local governments with their community development problems by utilizing a system of categorical programs. In other words, if a state or local government wanted federal financial or technical assistance, they had to apply individually for each specific area in which they needed aid, e.g., water and sewerage, urban renewal, historic preservation and recreation. This system, which is still in existence has been criticized as being inflexible, fragmented and fraught with excessive federal control that has been a source of frustration to local governments. That is, under the present categorical grant system local officials spend much of their work day trying to please Washington with an endless torrent of paper-work, rather than being able to focus their time, their resources and their talents on meeting local needs and producing results.

In an attempt to reduce the excessive red-tape and fragmentation of HUD categorical grant-in-aid programs in the functional area of community development, the federal government has worked for several changes in the last few years.

a) Proposed U.S. Department of Community Development

One of the most serious deficiencies in the effort of the federal government to assist in community development has been the

fragmentation and scattering of federal programs among a variety of departments and agencies. Thus, in 1971, the Nixon Administration proposed that a Department of Community Development be created which would pull under one roof various programs now in the Departments of Housing and Urban Development, Transportation, Agriculture and other agencies.

After extensive hearings on this proposal, the Committee on Government Operations of the House of Representatives reached this conclusion: "The Department of Community Development will be a constructive center in the federal government for assistance to communities, large and small. It will facilitate rational planning, orderly growth, and the effective employment of resources to build viable communities throughout the United States. It will help to strengthen the physical and institutional bases for cooperative action by federal, state and local governments." The present administation is continuing to work with the Congress for the prompt creation of a Department of Community Development.

b) The Responsive Governments Act

Under the Comprehensive Planning Assistance Program, the federal government has provided assistance to state and local governments in order to strengthen their planning and management capabilities. This program, however, has several major flaws. It has tended, for instance, to stress one aspect of public administration--planning--without adequately recognizing other essential features such as budgeting, management, personnel administration, and information-gathering. Planning has often been irrelevant

to the problems and the actual decisions. State and local governments have also found it difficult to coordinate their planning because of the fragmented way in which funds have been sent from Washington.

Because of the preceding, the Nixon Administration proposed that the 93rd Congress enact a new Responsive Governments Act. Under this proposal, $110,000,000 would have been provided for this act in FY-74, almost one-fifth of the entire amount that has been spent under the present law in the last two decades.

This Responsive Governments Act would assist state and local governments in meeting several important goals:

1) Developing reliable information on their problems and opportunities.
2) Developing and analyzing alternative policies and programs.
3) Managing the programs.
4) Evaluating the results, so that appropriate adjustments can be made.

The Responsive Governments Act (H. R. 10581) was recently sent by the Government Operations Committee to the Subcommittee on Legal and Monetary Affairs for consideration.

c) <u>The Better Communities Act (H. R. 7277)</u>

Presently under consideration in the U. S. Congress is the Better Communities Act which, if enacted, will provide $2.3 billion of shared revenues to Cities, Urban Counties and States for community development activities, beginning July 1, 1974. Practically speaking,

the Better Communities Act will take the federal government out of the business of dictating the operation of urban renewal, model cities, and certain other red-tape ridden federal programs. Instead, this new Act will provide block grants (special revenue sharing) which will enable local leaders to use the federal funds for community development in accordance with local objectives and priorities.

The Better Communities Act replaces the following present HUD categorical programs: Urban Renewal (including Neighborhood Development Programs, Code Enforcement, Demolition Grants and Interim Assistance); Model Cities; Neighborhood Facilities; Water and Sewer Grants; Open Space and Historic Preservation; Rehabilitation Loans; and Public Facilities Loans. Other HUD authority, including housing and community planning authority, would not be replaced by the Act.

The Better Communities Act special revenue sharing funds may be used for any community development activities permitted by any of the categorical programs being replaced. Thus, such activities may include:

1) Acquiring, clearing and improving real property.
2) Purchasing and developing open space, historic sites, parks and playgrounds.
3) Relocating people and businesses displaced by community development activities.
4) Building streets, malls, neighborhood and community centers, and recreation areas.
5) Rehabilitating residential or commercial properties.
6) Eliminating harmful physical conditions that endanger health or public safety.

7) Providing community services considered necessary to carry out the community development objectives of the particular community.

The $2.3 billion funding level for the first year, FY-75, exceeds the amounts appropriated and expended for the current fiscal year for all of the categorical programs which would be replaced.[1] From statistical information available, three factors have been chosen to determine community development need. These are population, the extent of overcrowded housing, and the number of people living below the poverty level of income. Recognizing the special needs of the poor, the poverty factor would receive double weight in the formula. For an overall view of the localities which will be entitled to Better Communities Act funds, refer to Attachment I, page 9.

The major features of the Better Communities Act follow:

1) A single fund of share revenues administered by HUD.
2) All activities now authorized under programs to be replaced will continue to be authorized.
3) Funds allocated by a formula based on need.
4) New role for governors and state government.
5) Automatic entitlement each year to Metropolitan Cities and Urban Counties.
6) Hold harmless provision to provide funding at least equal to recent annual funding under categorical grants.
7) Federal concerns protected by means of post audits, reporting and advance plan disclosure to local citizens of proposed use

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[1]The amount to be granted by each recipient by the Better Communities Act during FY-75 can be found in the following publication: Proposed Better Communities Act, Directory of Recipients, U.S. Department of Housing and Urban Development, August, 1973.

ATTACHMENT I

BETTER COMMUNITIES ACT

Entitlement Localities

CITIES		
Metropolitan Cities	491	
Small Hold Harmless Cities (Inside SMSA's)	254	
Small Hold Harmless Cities (Outside SMSA's)	451	
Total Cities		1,196
COUNTIES		91
STATES (includes Puerto Rico, excludes Vermont and Wyoming)		49
STANDARD METROPOLITAN STATISTICAL AREAS		268
Total Entitlement Localities		1,604

DEFINITIONS

Hold Harmless Communities -- Communities too small to receive an annual entitlement through the formula would qualify for hold harmless funds as calculated above, provided they have an on-going Model Cities, Neighborhood Development, or Urban Renewal program, the latter funded in the last five years.

Standard Metropolitan Statistical Area (SMSA)-- An SMSA includes at least one city with 50,000 or more inhabitants, or a city with at least 25,000 which with the addition of the population of contiguous places, have a population density of at least 1,000 persons per square mile, and which together constitute for general economic and social purposes a single community of at least 50,000, provided the county in which they are located has a total population of at least 75,000.

of funds.

8) Elimination of requirements for matching federal money with local funds.

The present federal administration believes that the Better Communities Act and the Responsive Governments Act are vitally necessary companion pieces of legislation if community development programs are to be carried out in an efficient and workable manner.

d) Housing

The Housing Act of 1973 (H. R. 10688) is presently in the Subcommittee on Housing of the Committee on Banking and Currency for consideration and markup. This Act is an attempt to improve and simplify laws relating to housing and housing assistance.

It is the finding of the U. S. Congress that federal subsidized housing programs have not made an adequate contribution toward attaining "a decent home and suitable living environment for every American family" in the almost quarter of a century that has elapsed since the nation adopted this goal. By making housing subsidies available to families eligible for assistance only while they occupy a particular dwelling unit, or live in a particular housing project, these current federal programs have tended to produce a concentration of families living in subsidized housing. This type of program also deprives them of the enjoyment of the benefits of federal housing assistance in safe and sanitary housing of their own choosing and labels them with the stigma which is often attached to subsidized project occupants.

According to the Housing Act of 1973, it has been found that:

1) In most areas of the country there is a substantial stock of existing safe and sanitary housing suitable for use by

families of low and moderate income.

2) A program of cash assistance payments which would provide low and moderate income families with that amount of assistance necessary to enable them to afford safe and sanitary housing of their choice could achieve substantial equity as among low and moderate income families with similar incomes. Such would also provide substantial equity and the avoidance of work disincentives as among low and moderate income families of differing income levels if properly related to other programs which also assist these families.

Thus, the supporters of the Housing Act of 1973 believe that the most promising way to enable all families to obtain decent housing at an acceptable cost appears to be by direct cash assistance.[1]

III. COMMUNITY DEVELOPMENT AT THE STATE LEVEL

The Community Development Administration (CDA) is one of the two main Divisions of the State Department of Economic and Community Development (DECD). The following functions and responsibilities of CDA are delineated in the enabling legislation of the Department of Economic and Community Development, Article 41, Section 266 DD-4 of the Annotated Code of Maryland:

a) Assist the Governor in Coordinating the activities of state agencies which have an impact on the solution of community development problems and the implementation of community plans.

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[1] Since this informational report was first provided in April, 1974 the U.S. Housing and Community Act of 1974 was enacted to establish a program of community development bloc grants, and amend and extend laws relating to housing and urban development.

b) Encourage and assist the efforts of local governments to develop mutual and cooperative solutions to their common problems.

c) Serve as a clearinghouse for information, data and other materials which may be pertinent to sound community development, including information on available federal, state and private financial and technical assistance.

d) In cooperation with the Department of State Planning, carry out continuing studies and analyses of sound community development and make such recommendations for administrative or legislative action as appear necessary, paying particular attention to the problems of metropolitan, suburban, and other areas in which economic and population factors are rapidly changing.

e) Implement model or demonstration programs and projects, contracting to administer certain functions or services within a Municipality or County of the State for such purposes, or to otherwise provide a program of practical research in community development.

f) Provide advisory, consultative, training and education services, technical assistance, and grant and local funds therefore and for any development cost to any municipality, county, local public agency or local development corporation in order to carry out the community development purposes of this Act.

The preceding functions are not the total sum of the printed legislation, but for the purposes of this paper, represent the intent and purpose of same.

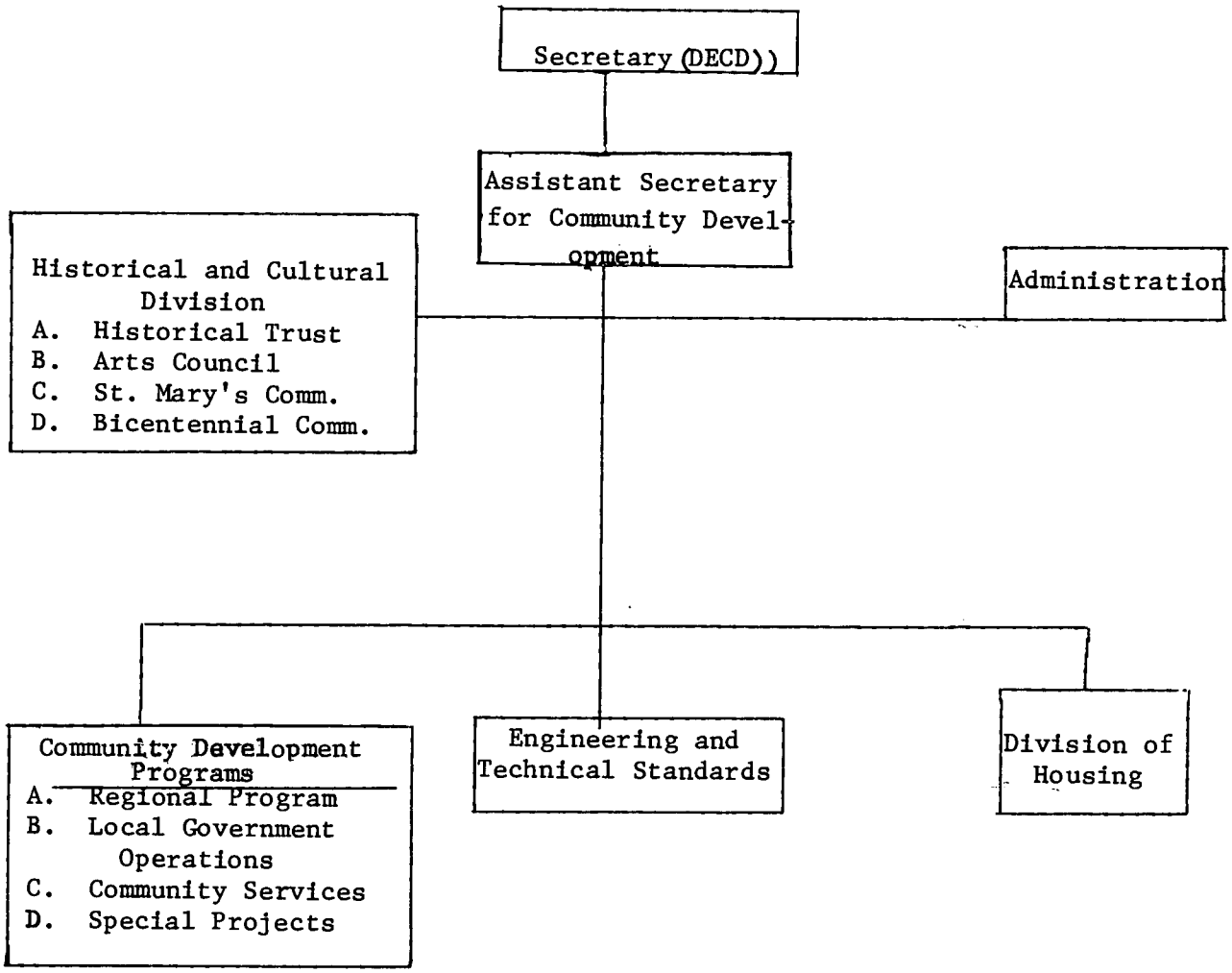
The Community Development Administration (CDA) was created by Chapter 527, Acts of 1970 with specific responsibility to assist local governments through a broad range of technical, advisory, and financial assistance, and to encourage, promote, and facilitate sound community development. Basically, CDA has two missions: (1) To identify the community's needs so they will be able to determine their priorities, and (2) to assist in developing local resources for improvements in a community. However, it should be noted, that CDA only assists local governments at the invitation of local officials.

Like any new office or agency, CDA, during the first few years of its existence, underwent the usual "growing pains" and search for its particular identity and purpose. This problem was compounded by the fact that the term "community development" encompasses, at least in part, the programs of several other functional areas. For example, CDA program areas touch upon aspects of economic, physical/visual environment, human resources, housing, recreation/cultural, transportation, governmental services, public facilities, and community infra-structure. One result of the preceding was that the necessary funds were not always easy to come by. However, by making use of the funds and personnel that it had, CDA inaugurated many studies throughout the State concerning its proper role, and experimented with several innovative programs, some more successful than others. CDA is now able to request and receive the appropriations it needs to carry out its legislative mandate.

Attachment II on page 14 is a description of the program areas of CDA, as well as the projected organization under which the programs of the Community Development Administration will operate.

ATTACHMENT II

ORGANIZATION OF COMMUNITY DEVELOPMENT ADMINISTRATION



Source: Community Development Administration

DIVISION OF HISTORICAL AND CULTURAL AFFAIRS

a) Maryland Historical Trust.--The Maryland Historical Trust preserves and maintains historical, aesthetic, and cultural properties, buildings, and furnishings, pertaining to the State of Maryland from earliest times. The Trust provides both funds and impetus for historic preservation activity throughout the State. Also, with the help of the Department of State Planning, the Trust is developing a State Plan for Historic Preservation

FY-73 ACTUAL EXPENDITURES - MARYLAND HISTORICAL TRUST

Net General Fund Expenditure	$150,715	=	56.6%
Federal Fund Expenditure	115,486	=	43.4%
Total Expenditure	266,201		

The federal fund income of $115,486 was received from the National Preservation Act.

b) Maryland Arts Council.--As a principal expression of the State's continuing commitment to the Arts and to the cultural interest of its citizens, the Arts Council has two significant responsibilities: (1) to lend advice and informed aid to various groups requiring other than financial assistance; and (2) the granting of funds in direct support of various cultural events and programs. In 1972, a significant portion of financial grants went to four major cultural institutions: the Baltimore Symphony Orchestra, Center Stage, the Maryland Ballet Company, and the Baltimore Museum of Art. The Arts Council also supports, with its discretionary

grant-in-aid funds, many other cultural endeavors throughout the State such as traveling art shows, high school literary competition, and its Poet-in-the-Schools program.

FY-73 ACTUAL EXPENDITURES - MARYLAND ARTS COUNCIL

Net General Fund Expenditure	$423,743	=	72.6%
Federal Fund Expenditure	160,023	=	27.4%
Total Expenditure	$ 583,766		

The source of the $160,023 federal fund income was the National Endowment for the Arts.

c) St. Mary's City Commission.--The St. Mary's City Commission is responsible for preserving, developing and maintaining historic St. Mary's City, the original settlement of Maryland. To date the Commission's principal activities have been related to acquiring historic town lands, developing existing land holdings, conducting archeological investigations of early sites, completing the architectural and historical research needed to interpret the archeological finds and develop the historic areas, and fostering local and national recognition of the importance of the St. Mary's City project.

FY-73 ACTUAL EXPENDITURES - ST. MARY'S CITY COMMISSION

Net General Fund Expenditure	$172,045	=	100%

d) Maryland Bicentennial Commission.--The Maryland Bicentennial Commission has been established to develop and coordinate public and private activities for the commemoration of the American Revolution.

FY-73 ACTUAL EXPENDITURES - MARYLAND BICENTENNIAL COMMISSION

Net General Fund Expenditure	$11,824	=	45.8%
Federal Fund Expenditure	13,991	=	54.2%
Total Expenditure	25,815		

The federal fund income of $13,991 was received from the American Revolution Bicentennial Commission.

COMMUNITY DEVELOPMENT ADMINISTRATION (CDA)[1]

The primary mission of the Community Development Administration is to help local communities marshall the resources available to them under federal and state programs, as well as other community resources, to improve the quality of community life. A large part of the work is to help communities be aware of alternatives they may have and to assist in translating their decisions into successful programs.

General Administration provides central control and direction for the various activities of the program.

The Federal and Field Liaison Office, which was transferred to CDA from the Division of Economic Development effective July 1, 1973, establishes overall state-level coordination among state, regional, local and federal development and development related units.

Assistance from Commuunity Development Programs includes technical and advisory aid to local governments in the following program areas:

a) Public Facility Assistance advises and assists in developing programs and applications for federal and state aid under existing programs. CDA assistance will be made available to communities

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[1] The internal organization of this Administration has undergone repeated change since this report was first printed in 1974. For a 1975 organizational chart of the Department of Economic and Community Development see Appendix A-4 of this report.

eligible for aid under the Rural Development Act and Special Revenue Sharing programs when they become operative.

b) Housing Assistance aids both local governments and individuals in assessing housing and housing related needs, and helps in developing community programs and applications for individuals.

c) Human Resources Assistance assists in identifying human resources needs and program services available and works with appropriate state, local and federal agencies to develop and implement programs, especially as related to families eligible for housing assistance. The experiences of experimental and demonstration efforts from the Model Cities programs are available to all local governments.

d) Training provides technical and grant assistance to aid local governments in analyzing skill requirements of public employees to perform their functions, analysis of administrative procedures such as budgeting or personnel, and training and education programs to upgrade the skills of public employees. The training programs have been directed toward helping state and local government units meet increased demands for services. State and local government officials recognize that one of the most important tools for improving and expanding the ability of local government to provide public service is to train local government employees to do a better job.

Such community developmen training includes Maryland's local government related activity under the Intergovernmental Personnel Act administered by the U.S. Civil Service Commission, the Housing Act of 1954 administered by the Department of Housing

and Urban Development, and the Home Counseling Service matched under Title IV A of the Social Security Act.

e) Public Administration Services includes management analysis and systems consulting services and aids in modernizing administrative procedures.

f) Research gathers data and provides information on local government problems, needs and experiences.

In addition to the preceding, CDA gives direct assistance to persons seeking rural housing loans from the Farmers Home Administration (FMHA), an agency of the U. S. Department of Agriculture, through housing improvement activity. During the year 1972, about four hundred families were assisted in obtaining FMHA home ownership and rehabilitation loans.

FY-73 ACTUAL EXPENDITURES - COMMUNITY DEVELOPMENT ADMINISTRATION

Net General Fund Expenditure	$325,183	=	46.3 %
Federal Fund Expenditure	376,536	=	53.7 %
Total Expenditure	$701,719		

FY-73 FEDERAL FUND INCOME

Department of Housing and Urban Development:	
(1) Model Cities	$39,934
(2) Housing Improvement	13,914
(3) Community Development Analysis	54,362
(4) Title VII - Urban Training	47,480
(5) Non-Profit Housing	45,905
Intergovernmental Personnel Act	28,783
Appalachian Regional Housing Assistance Program	23,731
Economic Development Administration	122,427
Total	$376,536

It was primarily because of federal "701 Planning Funds" that CDA was able to carry out is broad legislative mandate during its first few formative years. With such funds, CDA was able to inaugurate many community development studies throughout the State. However, CDA officials complain that the State Department of Economic and Community Development (DECD) is the only state agency which does not have a one to one direct relationship with its federal counterpart--in this case HUD. Thus, state economic and community development planning money ("701 Funds") arrives at DECD only after an intermediary stop at the Department of State Planning. The reason for this procedure, of course, is because "701 Funds" are strictly for planning purposes, and thus are not earmarked specifically for any function or program area. However, because of this, the Department of State Planning is able to take whatever percentage of "701 Funds" it requires, and only then, sends the remainder to DECD.

The Community Development Administration does, however, have the legislative authority to issue (sell) bonds. CDA will go to its first bond issue on April 15, 1974, to raise revenues to construct $42 million worth of multi-family housing in Baltimore County and Baltimore City for moderate and low-income families. This money will go to private developers, who will receive tax exempt interest rates. Thus, these developers will be able to sell or rent houses at lower prices (no down payment) based upon the ability of a client to pay. Thus, CDA can be a catalyst in the public sector by searching for ways to increase productivity.

THE DIVISION OF HOUSING

On March 1, 1973, Governor Mandel signed an order which, pursuant to Article 41, Section 3A of the Annotated Code of Maryland and upon

recommendation of the Secretary of the Department of Economic and Community Development, mandated the following organizational changes within DECD:

a) The Housing Division is established as an organizational unit within the Department, and shall consist of:

   1) The Division of Home Financing

   2) The following projects and programs previously within the Community Development Administration:

      (a) The Maryland Housing Fund.

      (b) All existing and future programs for financing and production of housing.

      (c) Technical assistance and liaison with all county and municipal housing authorities, housing agencies, and the non-governmental sector concerned with housing.

      (d) Codes administration and enforcement--Industrial Buildings and Mobile Homes Act, Model Performance Codes, and future codes authority.

   All appropriate personnel, funds, facilities, and powers are transferred as necessary to effectuate the above changes. The Housing Division shall be under the supervision of a Director designated by the Secretary, Department of Economic and Community Development.

b) The Office of Federal and Field Liaison and the Western Maryland Regional Development Office, previously within the Division of Economic Development, are transferred to CDA, together with appropriate personnel, funds, and facilities.

The primary goals of the Division of Housing are as follows:

a) Increase the housing supply and opportunities in the State for decent, safe and sanitary housing for all residents in accordance with balanced growth and development. Two means of accomplishing this are by reducing the cost of housing and maximizing the use of private industry.

b) Organize the public sector in meeting housing goals by maximizing the use of local government; expanding the role of housing authorities, agencies, etc., and developing local and state delivery systems consistent with planned growth and development.

c) Maintain existing housing stock in a decent, safe and sanitary condition. This is accomplished by acquisition and rehabilitation, public investment or commitment to areas requiring rehabilitation, housing code enforcement, and upgrading the techniques and skills of property management.

d) Achieve an economic and social mix in the housing inventory by the avoidance of economic concentration or impaction (moderate/low income) which, in effect, will balance the economic taxing district.

The General Assembly has provided the Division of Housing a broad range of tools which may be utilized in striving to achieve the preceding goals.

The Maryland Housing Fund (Mortgage Insurance) is a program by which the State will guarantee home financing mortgages extended by private lending institutions. The Housing Fund became fully operational late in

1972, after a number of months spent in drafting regulations under which it would operate. By the end of 1972, more than 26 lending institutions had been approved to make the loans which the Fund will insure, and early 1973 was made the target date for the first insured loan under the program. A goal of $16.5 million in insured mortgages was established for 1973.

Primary purpose of the Fund is to extend the base of home ownership. It will do this by guaranteeing mortgage loans to prospective buyers who heretofore could not qualify because of reasons totally unrelated to their credit risk or mismanagement of personal finances. New concepts which the Fund will follow include 100 percent financing, 40 - year terms, negotiable interest rates, and elimination of both lower and upper income levels and marital and/or family status.

Latest estimates, based upon a careful analysis of delinquencies under both federal and private mortgage insurance programs and subsidized housing programs, are that the Fund will have the capacity to insure mortgages amounting to about $200 million.

The basic objective of the Maryland Home Financing Program is to make loans to disadvantaged and low income citizens of Maryland to be used to finance the purchase of homes at a preferred rate of interest. The program is designed to help those citizens who are unable to obtain home loans from private lending institutions necessary for the purchase of decent, safe and sanitary homes. This program is funded by a $10 million bond authorization, which should be sufficient, at current construction costs, to finance between 600 and 700 residential units.

Other tools used to upgrade housing generally throughout the State are housing codes (Model Performance Code) and first time regulation of

mobile and factory-built homes--(Industrialized Building and Mobile Home Act). In response to a legislative mandate, the Codes Administration adopted as the state code for industrialized (factory-built) buildings and traditional buildings the latest edition of the Building Officials and Code Administrators (BOCA) International Building Code, with its plumbing code and the National Electrical Code. The National Fire Protection Association 501B was adopted as the standard code for mobile homes.

The Model Performance Code, authorized in 1971, provides that the State should adopt a building code which could be voluntarily adopted by local jurisdictions. If adopted, the State would assume the cost of training local inspectors. In either case, enforcement of the Codes was contemplated as the responsibility of local government building officials.

The Industrialized Building and Mobile Home Act became operational on July 1, 1972. The law provided that the State would adopt a national building code which would encourage the use of industrialized building and modern building materials and techniques. This system, once approved by the State, would supercede any local code provisions. As of November 1, 1972, CDA had certified seven manufacturers and fourteen testing facilities.

The importance of having housing codes for traditional, factory-built, and mobile homes can be derived from a recent incident which took place in St. Mary's County. The St. Mary's Housing Authority had approved and were installing factory-built housing units. HUD insisted that these units did not meet acceptable standards and threatened to withdraw financial assistance. However, the Department of Housing and Urban Development are currently under an executive order not to take any punitative action against

St. Mary's County Housing Authority, because state standards, if such exist, must be accepted by the federal government.

FY-73 ACTUAL EXPENDITURES - DIVISION OF HOUSING

Net General Fund Expenditure	$180,842	=	87.9%
Special Fund Expenditure	25,000	=	12.1%
Total Expenditure	$205,842		

The special fund income of $25,000 was received from the Codes Administration.

IV. THE HOUSING AUTHORITY

Housing authorities have their roots in the United States Housing Act of 1937. The law set forth the federal policy for providing safe, decent and sanitary housing to low-income families with an emphasis on local control and responsibility. Federal and local monies would implement the programs and provide the subsidies necessary for operating low-income housing programs.

Housing authorities in the State of Maryland are created under state law; however, the State Department of Economic and Community Development (specifically CDA) and the Division of Housing have no direct control over any of the local housing authorities. Baltimore County is one exception to the above rule. In order to receive HUD funds, (not only for housing projects), Baltimore County was required by HUD to set up a housing authority. However, since the County's governing body was against the establishment of a housing authority, the Community Development Administration agreed to act as the Baltimore County Housing Authority.

Article 44A of the Annotated Code of Maryland established legislation for housing authorities in the State of Maryland. Also known as the "Housing Authorities Law", it recognized the existence in the

State of unsanitary and unsafe dwelling accomodations; that persons of low-income are forced to reside in such accomodations; and that private enterprise could not relieve the shortage of safe and sanitary dwellings. Therefore, this law made provisions for the establishment of housing authorities in each municipality in the State. The law further sets forth that no housing authority could exercise its power without a declaration by the municipality's governing body that there is a need for such an authority to function within the town or city.

Article 44A, Section 23 of the Code specifically authorizes the creation of a housing authority in each county of the State, however, such an authority shall not become operative until the governing body of the particular County declares that there is a need for one. Once established, the county housing authorities have all the functions, rights, powers, duties, and liabilities provided for housing authorities in municipalities. For a listing of housing authorities in existence in the State of Maryland, refer to Appendix A.

Housing authorities apply directly to the U. S. Department of Housing and Urban Development for housing grants. If a local government's application is approved, HUD will pay the debt service on any bond issues floated to construct the housing project. Operating expenses for a housing authority are derived from the rental payments of the tenants. In addition, all housing authorities are tax exempt for property which they own, however, they do incur a payment in lieu of taxes to the County, Town or City in which they are located.

Because of the spiralling increase in construction costs in the last few years, coupled with the passage of the Brooke Amendment by the

U. S. Congress, (the Brooke Amendment forbids a housing authority from collecting more than 25 percent of a tenant's income for rent), most housing authorities have experienced great difficulty in paying the operating expenses they incur. Thus, they have had to obtain additional subsidies from HUD which have been mandated by the U. S. Congress, to meet these costs whenever such are incurred.

Many of the public housing projects fall under the Turnkey project labels. Turnkey is a method of providing low-income housing units whereby a private developer builds housing according to the housing authority's plans and specifications on land owned by the developer. When construction is completed, the developer sells the entire package to the authority at a previously agreed price. At the very beginning of this process the authority applies to HUD for a specific number of housing units. When the application for a program has been approved, the authority may proceed with the project.

The solicitation and receipt of proposals from private developers is followed by the selection of a proposal by the housing authority commissioners. The commissioners then select the most suitable proposal, taking into consideration the entire scope of housing development in the County, including availability of sites, the needs of the residents, zoning and utilities requirements, as well as the designs submitted, HUD requirements, and financial feasibility.

Once a proposal is selected, it must be approved by HUD in a series of designs and financial feasibility negotiations. A development program is then submitted by the housing authority to Hud, based on the construction cost of the project and costs incurred directly by the authority.

Upon completion of a project, the units are rented by the authority to eligible low and moderate-income residents.

There are four major types of Turnkey developments:

a) Turnkey I.--Developments are constructed by a private developer and conveyed to the housing authority, which then assumes full responsibility for management.

b) Turnkey II.--A private project management firm provides all project management services. This program leaves the housing authority with little responsibility in the operation of a development.

c) Turnkey III.--This type provides for the eventual ownership of the units by the residents, who through their rent payments, may build a homebuyer's reserve. When the reserves reach a level permitting each family to obtain FHA or conventional financing and the families meet the necessary requirements, they assume title to the homes, paying the outstanding debt on their home through a mortgage.

d) Turnkey IV.--An alternate homeownership program whereby the low-income families may acquire a structure being leased by the housing authority under the Leasing Program. The tenants earn equity in the unit by performing routine maintenance until a reserve of $200 is accumulated. The tenant is then eligible for a FHA-insured 235 mortgage provided the existing debt does not exceed the limits allowed under Section 235. If this debt does exceed the limits the tenant may continue to accumulate

equity through voluntary cash payments and routine maintenance performance until the debt is reduced to an acceptable level. A Federal Housing Administration (FHA) insured 235 mortgage is a guaranteed (federally-insured) and partially subsidized mortgage permitted to applicants who fall within a certain income level. At the present time, however, this program is being phased out.

The problem with the preceding description of housing authorities and their programs is the current state cf flux in which the area of housing presently finds itself. That is, because the federal philosophy has changed from governmental construction and operation of housing for the poor, to payment of direct cash subsidies to low and moderate-income families so that they may obtain their own housing, recent actions by the federal government have included the following:

a) A halt to all approvals for housing to be built with federal subsidy for low-and moderate-income families, including those especially designed for the elderly.

b) A failure to provide appropriated subsidies according to law for the operational costs of public housing.

c) The withholding of funds which have been appropriated for low-interest loans for rehabilitation of property in urban renewal and federally assisted code enforcement areas.

The preceding actions have not at all been viewed in a favorable manner by the local governments concerned.

For a better understanding of any discussion concerning housing programs, the following distinctions should be made:

Public housing means housing built, owned, and operated by a governmental level (usually local) and rented to low-income families and low-income elderly individuals.

Moderate-income housing means housing built, owned and operated by private developers (non-profit or limited-dividend) and rented or sold to families of an income above that for public housing, roughly from $6,000 to $11,000 per year, depending on family size.

Urban renewal, as it applies to new housing, is the means used to buy and prepare the site. Where cleared land is to be used for subsidized housing, it may contain either public-housing or moderate-income housing. However, most is used for moderate-income housing.

V. COMMUNITY DEVELOPMENT AT THE LOCAL LEVEL

THE COUNTIES

At the county level of government there are two major means used to promote community development programs. One is a county agency, specifically designed to meet the housing and related needs of its residents, in other words, a community development agency which provides a variety of services. The other is through a non-profit autonomous organization usually concerned almost exclusively with housing. These are the housing authorities. The following section will discuss these two major means to promote sound community development as they are found on a county level throughout the State.

Montgomery County

In Montgomery County, the Office of Community Development is a division of the County Department of Community and Economic Development. For a view of the organizational arrangement of the Montgomery County Department of Community and Economic Development refer to Attachment III, Page 32.

The legal authorities for operation of the Office of Community Development (OCD) in Montgomery County are the County Code and the County Charter. The County Council has final budgetary control with the preparation of the budget by the County Executive's office. Both the Executive and the Council have the authority to approve new programs. However, if programs involve appropriations of additional funds, the County Council must approve it.

On August 15, 1967, the County Council authorized establishment of a Department of Community Development, and on October 17, 1967, the Department was reorganized with bureaus and divisions to increase its effectiveness. The public housing responsibilities were separated from Departmental responsibility in 1969, when the Montgomery County Housing Authority became an integral, yet separate, office within the newly established Department of Community and Economic Development.

The Office of Community Development was originally organized to conform with the staffing pattern required in its role as the Local Public Agency (LPA) for federal urban renewal projects. It also serves as the staff to the Local Public Agency Governing Board required under

ATTACHMENT III

Department of Community and Economic Development

DIRECTORS OFFICE

Deputy Director provides overall Department director, program planning, responsible for attainment of Department Objectives

Administrative Services Section
- Administrative procedures, program development support, budget preparation (County & Federal), routine administrative operations

Office of Economic Research & Planning
- Collect, maintain, analyze data
- Provide technical & methodological assistance as required
- Undertake cost benefit and productivity analysis of project, as requested

Office of Architectural Services
- Plan and administer Construction Programs for County Buildings & Garages (approx. $40 million - 6 years)
- Provide technical information to CIP Planners
- Contract Administration
  :oject Inspection
- Develop standards for facilities (heat, air conditioning, etc.)

Office of Economic Development
- Develop programs to attract new industry to County
- Provide clients with up-to-date information on zoning, resources, transportation, etc.
- Assist County business community
- Develop programs affecting Agricultural Sector

Office of Community Development
- Administer Community Renewal Programs:
  Emory Grove Renewal Area
  Lyttonsville NDP
  Ken Gar Local Renewal Project
- Relocation Services
- Planning and Programming of community improvement projects
- Prepare Housing Plan
- Promote low and moderate income housing
- Housing information

Office of Planning & Capital Programming
- Prepare 10-Year Water and Sewer Plan
- Prepare Solid Waste Management Plan
- Prepare Capital Improvements Program
- Prepare Facility Plans, e.g. libraries, fire stations
- Prepare County Executive response to Master Plan proposals
- Site selection for Capital Projects including AWT

urban renewal law.

The functions of the Office of Community Development are performed by three divisions: Planning and Programming, Renewal Operations and Relocation Assistance. These Divisions plan, organize direct, coordinate, and implement programs, to:

a) Provide improved living conditions for residents and workers in the County who for reasons of inadequate incomes or opportunities do not enjoy or cannot obtain decent, safe, and sanitary housing in a suitable environment.

b) Promote the elimination of environmental deterioration and blight through planning and program development and implementation.

c) Plan for and coordinate development of a balanced housing supply.

The Office of Community Development has many programs in progress, all of which can be placed in five general categories:

a) Physical Redevelopment --Such as urban renewal and rehabilitation and Homeowners Construction Loan Funds. Urban renewal projects involving two-thirds federal (HUD) funding and one-third county funding are in the execution stage in Emory Grove ($5.3 million) and Lyltonsville (a Neighborhood Development Program which differs from conventional renewal in that it is funded on an annual basis, total estimated cost is $6 million). OCD is also actively seeking funds for local community centers, under Section

703, Grants for Neighborhood Facilities of the U. S. Housing and Urban Development Act of 1961.

The major obstacles for these programs are inadequate funding, and as an OCD official stated, "it still remains the only way to redevelop previously deteriorated areas that have combinations of environmental and housing deficiencies which cannot be properly removed through speculation by private developers."

b) Programs Providing Direct Services to People in Communities --Such as relocation services, housing counseling, and housing information.

Relocation benefits and assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 are administered by OCD. Also, HUD has authorized this Office to provide counseling to poor credit risk families under Section 237 of the National Housing Act to assist them in securing approval for FHA loans for the purchase of housing.

Finally, a long-ignored problem, that of the Spanish-Speaking people who have moved into Montgomery County, is receiving some recognition.

c) Programs Improving Ability of People to Become Involved in the Planning Process --Such as the Neighborhood Improvement Program and the Community Participation Planning Programs.

d) Programs Aimed at Anticipating Problems and Preventing Deterioration -- Such as planning for neighborhood stabilization. This is a new program with an intent to address problems in areas adjacent to

or surrounded by central business districts into which there is danger of encroachment. The program is designed to minimize the impact of commercial development. Examples of areas where such a program might help are East Bethesda, East Silver Spring, and portions of Wheaton.

e) Programs to Develop Housing and Housing Resources --Such as encouraging development of lower-cost housing, keeping track of resources, and developing new approaches and new methods to encourage housing production.

Montgomery County has both an Office of Housing within the Department of Community and Economic Development and a housing authority. Basically, the Office of Housing has two main objectives: (1) to conduct research concerning where new housing should be built in the County, and (2) to help fulfill the County's moderate-priced housing needs. One method of accomplishing the latter objective is by the County Housing Site Fund through which the County purchases land for use by the County's proposed Housing Development Corporation (Housing Opportunities Commission), the housing authority or other non-profit sponsors.

The Office of Community Development stays abreast of State of Maryland Programs which serve to provide housing for county residents, but as one official noted, "there is not the same close working relationship between office staff and state staff as with the U. S. Department of Housing and Urban Development staff." Occasionally, the Department of Community and Economic Development is the recipient of federal (HUD) funds routed through state agencies, such as 701 Planning Funds from the Maryland

Department of State Planning, and Community Development Training Funds through the Maryland Community Development Administration.

OCD officials feel that in the case of urban renewal, a directional change which brings it into closer relationship with other governmental programs, instead of being operated in isolation, should be one method of improving its effectiveness. They also believe that there should be more local control over funding and project planning, especially in the determination of project objectives and goals.

In 1966, Montgomery County publicly acknowledged the need for housing its limited income families and established the Housing Authority of Montgomery County. The Commissioners, appointed by the County Executive and confirmed by the County Council, serve without compensation for five-year terms, with one appointment made each year. The Commissioners, in turn, select the Executive Director, who carries out the policies of the housing authority.

The housing authority is divided into four major divisions: (1) the Director's Office, (2) Planning and Development, (3) Tenant Relations, and (4) Community Relations. In line with the preceding organization, the goals of the housing authority revolve around the three areas of housing, tenant services and relationship to the community.

Housing officials believe that the ultimate goal of the tenants should be total self-sufficiency, including no further need of public housing. One means of seeking this independent status is through the homeownership program. Tenants who do not wish to enter a homeownership program will, through vocational and job counseling, be encouraged to

maximize their income-earning abilities to the point where they will be able to secure housing on the open market.

The housing authority's program is limited in the County only by the availability of federal funds to increase the number of housing units which they are able to provide. There is no state money involved in the agency with the exception of a State Commission on Aging Grant to provide outreach to senior citizens in the area of projects for the elderly.

Rental income and operating subsidies from the Department of Housing and Urban Development cover the maintenance, management and operational costs. The County itself, only provides the housing authority with a grant to provide tenant relation services and community relations services for the agency. The housing authority does enjoy support, participation and assistance from other county agencies such as the Departments of Social Services, Environmental Protection, Community and Economic Development, Recreation, and Transportation.

For a comprehensive view of the type of developments and programs created and operated by the Montgomery County Housing Authority, refer to Attachment IV, page 38. A table depicting the source and use of funds during FY-73 by the Montgomery County Housing Authority is found in Attachment V., page 39.

The General Assembly of the State of Maryland is currently considering legislation to permit the creation of a Housing Development Corporation (Montgomery County officials would prefer to have it called a Housing Opportunities Commission) in the County. Basically, it would be an expanded version of the existing housing authority. It would have the responsibility of constructing housing

ATTACHMENT IV

	Year	# Units	Unit Size	Per Unit Cost*	# Persons	Aver. Fam. Size	Aver. Rent	% Employed	% Fem. Head Hse.	Racial Comp.
ELDERLY										
1400 Fenwick	1967	160 (153)	40-E's 100-1's 20-2's	$14,000	184	1.2	$47.00	-	-	93%w 7%b
Holly Hall	1969	96 (91)	5-E's 49-1's 42-2's	13,000	123+ 10 reg. tenants	1.5	47.00	-	-	78%w 22%b
Arcola Towers	1972	141	83-E's 58-1's	18,500	163	1.2	50.00	-	-	87%w 13%b
Danac	1973	156	156-1's	----------	----------	in planning	----------	----------	----------	----------
FAMILIES										
Leased Housing	1972	115	----------	----------	----------	funded	----------	----------	----------	----------
	967-1972	180	2-1's 60-2's 60-3's 36-4's 20-5's	97.50 135.00 150.00 175.00 185.00	915	4.9	37.00 plus util.	41%	58%	56%w 44%b
Wash. Square	1970	50	10-2's 30-3's 10-4's	18,700	257	5.1	75.00	52%	54%	20%w 80%b
Emory Grove	1970	55	6-1's 21-2's 20-3's 8-4's	17,700	205	3.9	74.00	40%	38%	8%w 92%b
Middle-brook	1972	76	8-2's 20-3's 40-4's 8-5's	27,000	----------	----------	under construction	----------	----------	----------
Montrose	1973	65	39-2's 10-3's 10-5's 6-6's	26,000	----------	----------	in planning	----------	----------	----------
FAMILIES										
Homeownership										
Tobytown	1972	26	9-1's 3-2's 6-3's 4-4's 2-5's 2-6's	27,200	104	4	69.00 plus util.	60%	26%	100%b
Bel Pre	1969	50	50-3's	18,300	210	4.5	100.00	91%	10%	24%w 76%b
Scattered Site Totals		94			370	4.5	71.00+ util.	91%	2[illegible]%	38%w 62%b
Griffith Park	1971	10	6-3's 4-4's	25,987						
Seneca	1971-2	20	16-3's 4-4's	23,800						
Mont. Village	1971	5	5-3's	26,500						
Laytonsville	1970	7	7-3's	19,500						
Existing	1970-2	43								
Hewitt	1972	9	7-3's 2-4's	23,400	----------	----------	under construction	----------	----------	----------

* Total Development Cost excluding M.C.H.A. Administrative Costs

Total Occupied	397 Elderly	193 Leasing	95 Scattered	181 Family	856	Total 946
Total under Construction			9 Sites	76 Projects	85	
Total in Planning	156	115 Funded	31	65	367	
	553 Elderly	308 Leasing	125 Scat. Sites	322 Proj.	1308	Total

ATTACHMENT V

HOUSING AUTHORITY OF MONTGOMERY COUNTY

SOURCE AND USE OF FUNDS FOR

FY 73

FUNDS RECEIVED	AMOUNT	PERCENT OF TOTAL FUNDS RECEIVED
Rental Income		
Leased Housing	142,855	
Elderly Housing	188,547	
Homeownership	133,288	
Total Rental Income	464,690	27.3%
HUD Subsidies		
Operating Subsidies	277,709	
Rents to Owners	275,201	
Debt Service Funds	405,196	
Total HUD Subsidies	958,106	56.3%
Other Income		
County Grant-Deficiency Fund	28,000	
County Grant-Tenant Services	187,560	
County Grant-Community Relations	37,980	
State Grant for Aging	26,680	
Total Other Funds	280,220	16.4%
Total Funds Received	1,703,016	100.0%
Use of Funds		
Administration	174,332	10.2%
Development	70,974	4.2%
Tenant Services	212,240	12.5%
Community Relations	37,980	2.2%
Maintenance	209,336	12.3%
Rents to Owners	275,201	16.2%
General Expenses	317,257	18.6%
Debt Service	405,196	23.8%
Total Use of Funds	1,703,016	100.0%

which the County Office of Housing (the research and development and policy-making arm) decides that the County needs. Also, the Housing Opportunities Commission would not be tied into a single federal program. The new term "opportunity housing" has been coined for the purpose of making it possible to cast away such terms as low or moderate-income clients.

Prince George's County

Prince George's County also has both a "community development" department and a housing authority. The Department of Human Resources and Community Development, called the Prince George's County "umbrella" department was mandated by the County Charter to provide social services to citizens not furnished by any other office including the County's Department of Social Services.

This office, under the name the Community Development Department, was created in August, 1967, to provide a mechanism for planning, co-ordinating, and implementing community improvement programs. Under the County Charter, adopted by the electorate on November 3, 1970, this department became one of the fourteen major departments under the direct supervision of the County Executive and became operational as the Department of Human Resources and Community Development on July 1, 1971.

The major divisions of the department cover a broad spectrum of needs and are in a constant state of flux and change, due in part to the needs of the citizen, but more often by the changing requirements of federal, state and county planners. This need for flexibility is evident

with the recent and still ongoing changes at the federal level in funding four OEO and Model Cities programs. The Revenue Sharing program has brought about changes locally to better cope with administration of the same or similar problems, but under different names and different fiscal structuring.

For a view of the organization of the Prince George's County Department of Human Resources and Community Development, dated October, 1973, refer to Attachment VI., page 42. Reorganizations have occurred and additional divisions have come into existence during the past few years in order to meet the ever increasing problems that confront the County.

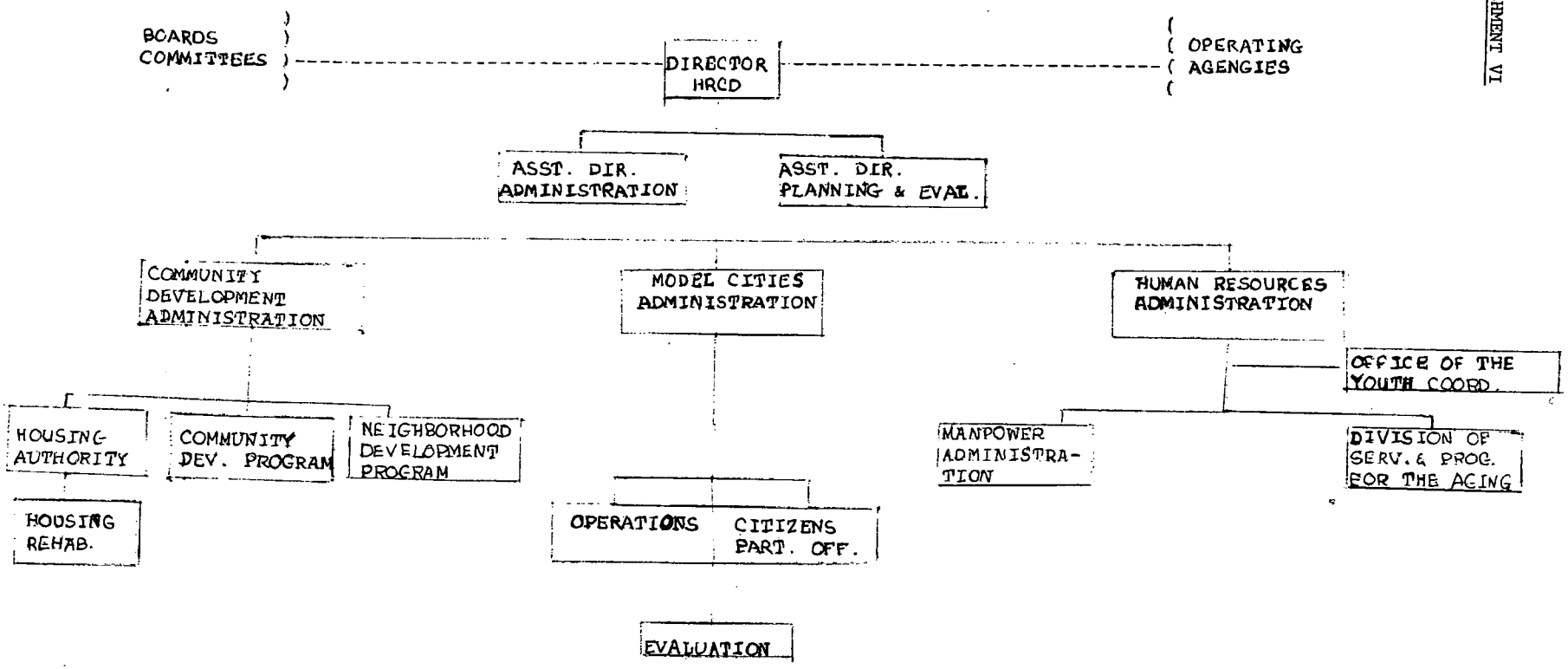
The Department of Human Resources and Community Development is divided into three main agencies: the Human Resources Administration, the Model Cities Administration, and the Community Development Administration.

a) Human Resources Administration.--There are two main divisions of this Administration as described below:

The Division of Service and Programs for the Aging has as its prime objective to develop within the County a coordinated, comphrehensive program of services and service delivery systems to its senior citizens, to develop an effective information and referral system for programs and services to the aging, and to provide planning and counseling services for financial, legal, employment, social, and other problems.

ATTACHMENT VI

DEPARTMENT OF HUMAN RESOURCES & COMMUNITY DEVELOPMENT



The goals of the Manpower Administration are to aid poverty level income families to increase their earning capability and to attain a decent standard of living, including sound housing and necessary social and health services. Under the division, the County funds the Neighborhood Action Center, an employment referral and job development center which operates in cooperation with the Maryland State Employment Service.

Prior to July 1, 1973, the Manpower Administration was known as the Community Action Agency. It is also anticipated that during FY-74, the Veteran's Affairs Office, established in the County in 1971, will be absorbed into the Manpower Administration.

b) Model Cities Administration.--The Model Cities Program is still in operation in Prince George's County, however, the County has not yet been notified by the federal government concerning whether funds for FY-75 Model Cities Programs will be forthcoming.

c) Community Development Administration.--It is in this administration where particular community and neighborhood development programs are located. Also, although in Prince George's County the housing authority is an autonomous division, it is located and operates out of the Community Development Administration of the Department of Human Resources and Community Development.

The Prince George's County Housing Authority, like all others in the State, is responsible for planning, coordinating, and executing a large variety of housing projects. The housing authority is trying to

achieve a broad dispersion of low-income development so as to simultaneously promote the growth of balanced communities and avoid the emergence of concentrated low-income population areas. The urgent need for public housing is evidenced by the housing authority's waiting list of approximately 3,000 eligible applicants. Approximately 800 of the applicants are elderly.

The objective of the housing authority is to provide suitable housing for low and moderate income population of the County. A secondary objective of the authority is to provide related services such as financial assistance and mortgage counseling. In addition, the consolidation of services that are ancillary to housing, i.e., social and medical services, food services for the elderly, etc. are being realized. The assumption is that housing is one of the basic needs out of which stem related secondary and tertiary needs.

Title IV-A of the Social Security Act and the Housing and Urban Development Act of 1968, provides the capability for joint sponsorship of social services by the Department of Health, Education and Welfare (HEW), and the Department of Housing and Urban Development through a coordinating State agency. In 1972, the housing authority entered into an agreement with the State Department of Employment and Social Services (represented by the County Department of Social Services) to implement such a proposal. Program funds were awarded totaling $319,282. HEW-HUD's share of the funding was $236,499 with the balance contributed by the housing authority through in-kind and direct cash contributions.

Services provided to the housing authority tenants include casework counseling for families and the elderly, home management and supportive

services for the elderly, job counseling and recreation programs for youth and the elderly. The day-to-day administration and operation of the program will be the responsibility of the Department of Social Services.

The housing authority also executed an agreement to act as the operating agency for a federal grant to rehabilitate 50 substandard houses in the Model Neighborhood Area. Thus, the authority is actively engaged in relocation activities and homeownership counseling.

The housing authority's primary dealings are with HUD as 80 percent of their budget is funded by that federal agency. Prince George's County has two municipal housing authorities, located in College Park and Bowie, however, they are completely independent of the County.

PRINCE GEORGE'S COUNTY DEPARTMENT OF HUMAN RESOURCES AND COMMUNITY DEVELOPMENT

FY-74 Operating Expenditures

Human Resources Administration	$ 541,276
Model Cities Administration	6,090,756
Community Development Administration	3,605,167
Housing Authority (including projects)	10,457,971
Police Community Relations	77,000
Total	$20,772,170

Anne Arundel County

Anne Arundel County does not have a "community development" department, however, a housing authority was established in 1968 by ordinance of the County Council.

At present, the housing authority has two projects in existence: (1) Burwood Gardens (200 units) for senior citizens, and (2) Meade Village

(200 units) for families. The housing authority has approval for the Free Town project (200 units) for families, plus two additional projects, totaling 330 units for senior citizens have been proposed.

All of the housing authority's projects, including proposed ones are Turnkey operations. In addition, the County is entering into a leasing program whereby the housing authority can lease from developers or real estate agencies blocks or individual homes and use them as public housing.

The housing authority does have a Resident Service Program in cooperation with county agencies for health and social services. In addition, a medical clinic is located at the Meade Village project.

The housing authority has a waiting list of 650 elderly and over 1300 families. Entrance into the project is based on income relative to size of family. There are income limits for both entrance and dismissal.

Wicomico County

The Wicomico County Housing Authority currently has 100 units for families and 75 units for the elderly. The authority also has a leasing program of 75 units, and expects to gain approval for 165 more. This program enables the housing authority to lease units from landlords at the normal rate, and through a subsidy from HUD, rent units to low-income tenants at 25 percent of their income.

The housing authority employs two women (paid by the Federal Emergency Employment Act) who visit tenants and give them aid in budgeting their money properly. In addition, two other case workers will soon be on the

staff via funds from the County Department of Social Services.

Calvert County

In 1972, the Calvert County Housing Authority was created. The County Commissioners appoint housing authority members to staggered five-year terms.

In November, 1972, the housing authority submitted a proposal to HUD for 200 units of rent-subsidy housing for elderly and limited income residents. However, in January, 1973, before the application could be approved, the restriction on use of federal funds for construction of public housing became effective.

Although the housing authority has no housing available yet, it has received reports and assistance in planning future projects from other housing authorities in the State and from the State Community Development Administration.

Baltimore City

Baltimore City was the first major city in the country to bring all the principal functions involving housing under one department. This combined department in existence since 1968, is entitled the Baltimore City Department of Housing and Community Development (HCD). The Baltimore City Housing Authority, first established in 1937, is now under HCD. The housing authority is a state-chartered public agency whose commissioners are appointed by the mayor. For all pratical purposes, it is a part of HCD. In addition, the Commissioner of HCD doubles as the executive-director of the housing authority.

The major goals of the Baltimore City Department of Housing and Community Development are:

a) To assure that housing is available to every person in Baltimore, no matter what his income, in a manner which will permit him to live with dignity.

b) To preserve the excellence of good neighborhoods, and to improve neighborhoods in need of rehabilitation.

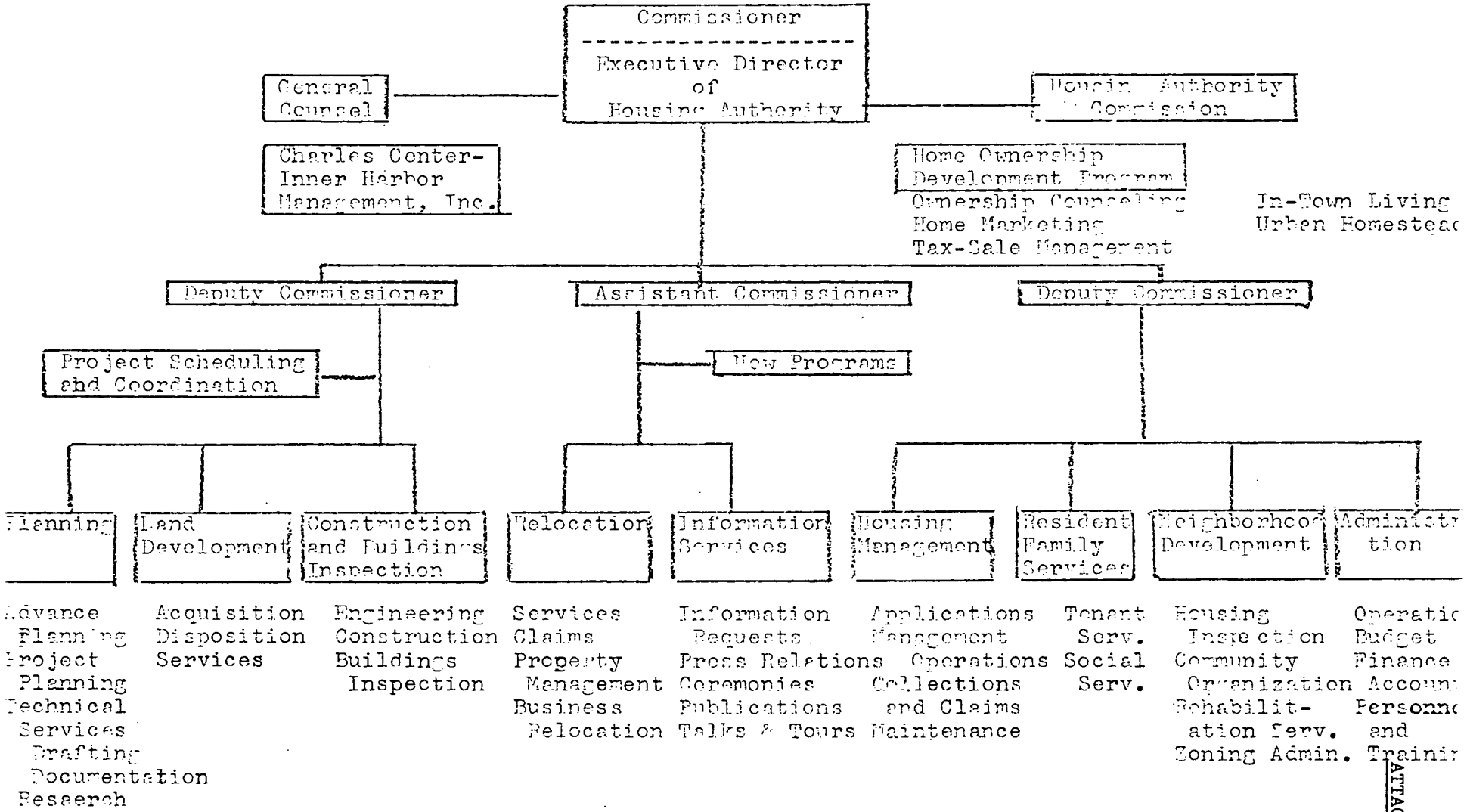
c) To achieve growth and development of the City in residential, commercial and industrial areas, with programs that benefit residents of all income levels.

HCD builds and manages public housing, which provides a home for roughly 50,000 low-income residents in developments and rehabilitated houses throughout the City, and conducts a social services program to help meet the social needs of the residents.

The nine divisions of HCD are: Planning, Land Development, Construction and Building Inspection, Neighborhood Development, Housing Management, Resident Family Services, Administration, Information Services, and Relocation. A citizen commission supervises the housing authority activities, but not the other functions of HCD such as urban renewal and code enforcement. For a more comprehensive view of the HCD organizational structure, refer to Attachment VII, page 49.

The assistant commissioner is in charge of establishing new programs. He also maintains liaison with the Model Cities and Community Action Agencies which are not located within the Department of Housing and Community Development.

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT



Downtown urban renewal is conducted through Charles Center-Inner Harbor Management, Inc., a division set up as a separate contractor, but fully answerable to the Department. In addition, a separate office reporting directly to the Commissioner is the Home Ownership Development Program, charged with assisting potential home buyers, working with in-town neighborhood groups, and increasing the percentage of homeownership in the City. It also assists in merchandising rehabilitated houses and manages tax-sale properties.

After five years of experience with a unified housing agency, Baltimore City feels that the system of a unified direction is logical. Unification has resulted in the coordination of related functions. For instance, the division which constructs public housing also issues building permits; the division which inspects existing homes also plans construction of new homes in urban renewal; the division which manages urban renewal also manages relocation.

In Baltimore, public housing residents' annual family income average is approximately $3,000 per year, against an annual estimated city-wide average of $7,000. Of the total public housing population, 64 percent receive aid from the Baltimore City Department of Social Services.

The Department of Housing and Community Development in an attempt to house low-income families outside of conventional projects, to provide a greater number of homes for large families and the elderly, and to insure the possibility of eventual homeownership for families whose income rose above public housing limits, have begun a number of new projects.

The Used House and Vacant House Programs, supported by grants from HUD, are scheduled to cumulatively acquire and rehabilitate 1,400 vacant

homes, most of which will be used for rental to low-income families as an addition to the public housing program. HCD also operates the Leased Housing Program. A special program for families awaiting or already occupying units in the Lease-Used-Vacant (LUV) Program offers a series of weekly workshops in housekeeping, home management, consumer education and community involvement.

Many programs located within the Baltimore City Department of Housing and Community Development are designed to offer more than housing to the tenants. The newly created Division of Resident Family Services furthers this objective. This Division is financed with a $2.1 million grant through Title IV-A of the Social Security Act. The grant was arranged through the Maryland Department of Employment and Social Services, which continues to be involved in staffing, but not administering, this Division.

While one of its major thrusts is to see that each family is aware of and receives the services of existing outside agencies, the division will also provide direct assistance and counseling of its own. The responsibility of this division is to create an overall strategy which will asure that each family utilizes all of the services which are available to them. The division works in both the social services and tenant services areas.

In social services, counselors and a group of professional social service workers will work with individuals and families with especially difficult problems. Further assistance is provided by some 26 social service aids, all of them residents of public housing themselves. Associated with this function are the activities of the child development coordinator.

The coordinator, with ten aides, assists young mothers and provides information on child health and development, and helps with child care arrangements to enable the parents to work, keep medical appointments, or receive training. The division does not run day care centers or give direct help to children since other organizations provide this service, and the function of Resident Family Services is not to duplicate services of existing agencies. Another social services activity is homemaking. Training in this area includes budgeting, shopping, nutrition and cleaning.

The principle function of the tenant services unit of the division is to work with tenant councils at the projects to make them more viable. The tenant services group also provides for teaching the basics of social welfare and subject matter related to the area in which they will be serving (such as child development or homemaker services).

While HCD received their $2.1 million grant for the Division of Resident Family Services because of the efforts and cooperation of the State Department of Social Services, in truth, many top officials of the Baltimore City Department of Social Services are opposed to HCD officials' attempts at supplying this type of service. Some of the reasons for this opposition are as follows:

a) The programs within the Division of Resident Family Service are largely duplicative of what Baltimore City's Department of Social Services already provides.

b) HCD personnel are not properly trained to deliver some of the resident family services which have been proposed such as

contraceptive information, adoption and abortion counseling, veneral disease education, male/female relationships, both sexual and social, and others.

c) Baltimore City Social Services officials believe that the $2.1 million would have been better spent if it had been allocated directly to their department to hire additional, properly trained, caseworkers who could add to the already existing provision of services which HCD tenants now receive.

The controversy concerning HCD resident family services continues at this time, and in fact, the Director of the Baltimore City Department of Social Services has to date refused to sign the renewal agreement which would directly involve the City's social services department with this program. Basically, social services personnel feel that HCD personnel should involve themselves in such tenant services as home repair and care, budgeting, homemaker services, and home management services, while social service programs should be handled by social services department personnel.

Finally, the Department of Housing and Community Development is unique in that it has two operating budgets, one for city operations, the other for the housing authority. In each case, the Commissioner has budgetary authority. The city budget is established by the Mayor and City Council. The housing authority budget is reviewed and approved by the federal government through the Department of Housing and Urban Development.

For a complete financial statement of the Baltimore City Department of Housing and Community Development for FY-73, refer to Attachment VIII, page 54, (community development programs) and Attachment IX, page 55, (the housing authority).

ATTACHMENT VIII

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Source and Use of Funds

For Fiscal Year July 1, 1972 - June 30, 1973

SOURCE OF FUNDS

Federal	$22,562,443
Proceeds, Sale of Land	2,155,007
Local: General Funds	9,321,808
Local: Bond Funds	2,522,984
*Income - Housing Authority of Baltimore City	20,019,010
TOTAL	$56,581,252

USE OF FUNDS

Renewal Project Activities	$27,505,701
Concentrated Code Enforcement Activities	1,471,337
General Housing Code Enforcement	2,585,800
Building Code Enforcement	1,856,969
Debt Service	3,142,435
Expenditures - Housing Authority of Baltimore City	20,418,056
To Reserves - Housing Authority of Baltimore City	(399,046)
TOTAL	$56,581,252

HOUSING AUTHORITY OF BALTIMORE CITY
Balance Sheet as of June 30, 1973

ASSETS

Funds -- Deposits and Advances	$ 851,127
Accounts Receivable	150,769
Advances & Accrued Receivables	543,704
Investments (at cost)	6,234,817
Debt Amortization Funds	3,426,253
Deferred Charges	697,361
Construction in Progress	28,940,112
Land, Buildings, Equipment (at cost)	139,671,325
TOTAL ASSETS	$ 180,515,468

LIABILITIES AND CAPITAL

Accounts Payable	$ 640,800
Notes Payable	57,175,099
Accrued Liabilities	3,131,607
Deferred Credits	47,984
Bonds Outstanding	77,546,000
Equity of Federal Government	39,612,667
Reserves for Contingencies	2,361,311
TOTAL LIABILITIES AND CAPITAL	$ 180,515,468

CONDENSED OPERATING INCOME AND EXPENSE STATEMENT
July 1972-June 1973

INCOME

Income from Operations	$ 7,241,621
Federal Subsidy -- Operating	6,525,966
Federal Subsidy -- Debt Service	6,251,423
TOTAL OPERATING INCOME	$ 20,019,010

EXPENSES

Operating Services & General	$ 4,058,515
Utilities	3,651,557
Repairs, Maintenance & Replacement	6,141,955
Payments in lieu of taxes	314,606
Debt Service	6,251,423
TOTAL OPERATING EXPENSE	$ 20,418,056
NET INCOME OR (DEFICIT)	$ (399,046)

THE MUNICIPALITIES

On the municipal level of government community development is usually equated with low and moderate income housing programs provided by municipal housing authorities. As discussed previously, these housing authorities are basically independent bodies, as far as municipal, county or state control is concerned, with direct operating lines to the federal government (HUD). Of course, a few of the larger municipalities do have either community development departments or community development-type programs ongoing in addition to constructing and operating public housing projects.

Rockville

The City of Rockville has both a community development department and a housing authority.

The Department of Community Resources evolved in July, 1973 from the older Department of Community Services, which had been established in July, 1970.

The Department of Community Resources has four broad and comprehensive departmental objectives:

a) To develop the capacity as a City Department to act as a catalyst in assessing and conveying the needs of the community to appropriate agencies of the city, county or federal governments and private foundations.

b) Development of departmental capability for socio-economic planning as it inter-relates with other governmental, private

and city functions.

c) Increase the quality of services provided to the community by selective review and evaluation of individual program capability.

d) Restructuring of the Department vis-a-vis functional areas of responsibility to adequately carry out the defined departmental priorities.

Department officials feel there is a need to maintain city functions and to continue to develop, coordinate and utilize the resources of public and private agencies. In addition, they also feel the Department should have a comprehensive social plan as it relates to the city and non city agencies similar to the Office of Coordination of Federal Programs now operated by Montgomery County.

The main task of this would be to prepare in conjunction with, and for inclusion in, the county budget such programs or services that are needed by the City based upon the demonstrated needs of the City government and its citizens. This plan would provide for other city departments information as to the social implications of existing city programs, and make available such information as to the feasibility of county, state and federal programs and services that could be incorporated into city departments.

The function of social planning would also act as a "broker" between city generated and funded programs and the additional resources produced by outside sources, generally Montgomery County. The social planning

function would also directly benefit city participation in federal programs that do not require county agency participation, such as JOBS '70, and the expansion of the Lincoln Park Community Center for Day Care. Social planning would also legitimize city staff participation in developing direct federal programming.

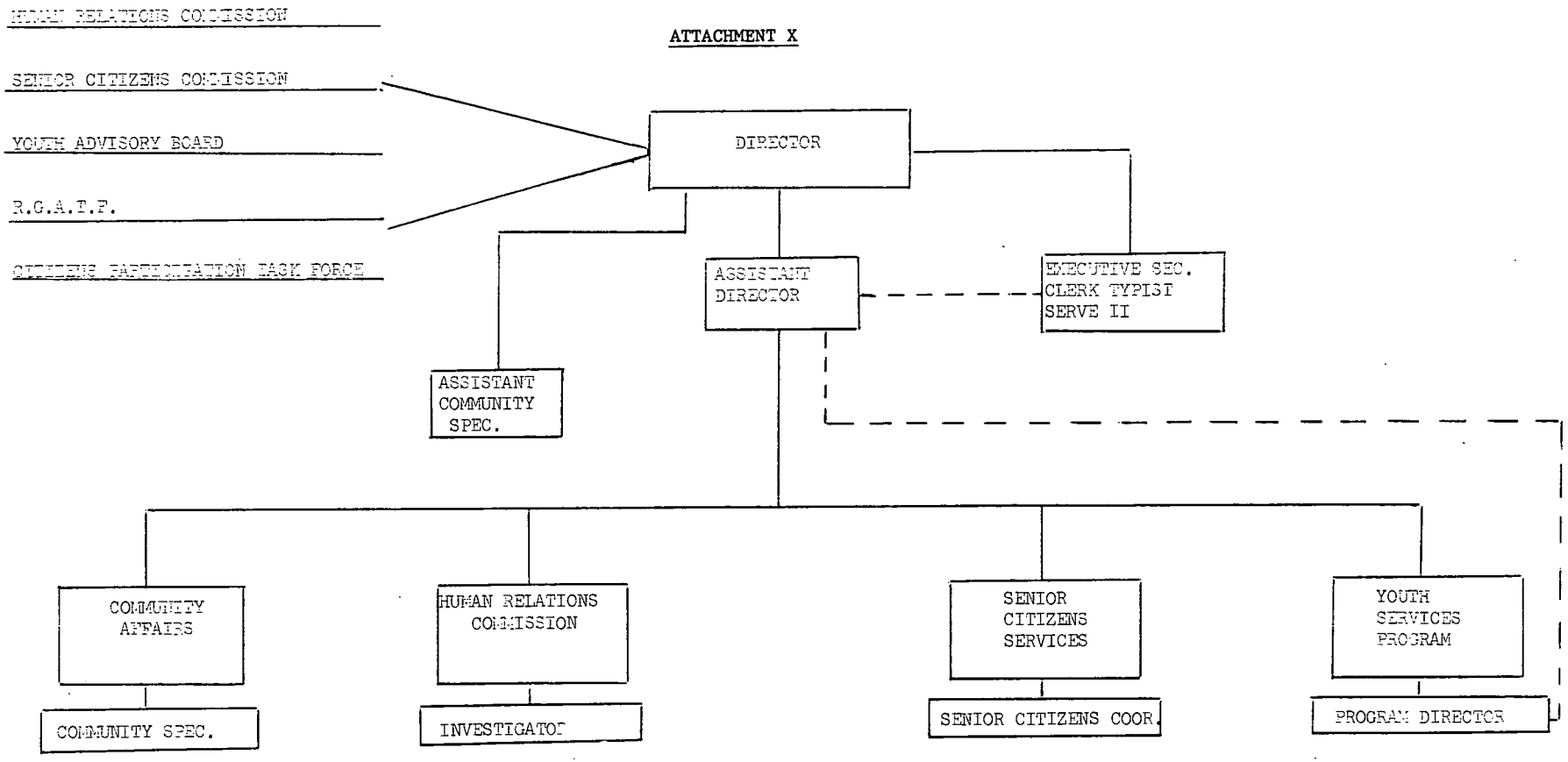
Finally, social planning would establish and maintain a direct working relationship with the County Departments of Community Development, Social Services, Commission on Aging, Health, Office of Coordination of Federal Programming, Housing Authority, Human Relations Commission, School Board, and the state agencies such as Employment Security, Commission on Aging and Economic and Community Development.

For an overview of the program divisions within the Rockville Department of Community Resources, refer to Attachment X, page 59.

The Housing Authority of Rockville manages 141 units of public housing and as in all housing authorities, rent is based on 25 percent of gross income of the tenants.

Services provided to the tenants are not directed by the housing authority, but rather through county channels. That is, the department of social services provides services to any citizen who is eligible to receive them even if he were not living in public housing. However, the Rockville Housing Authority is in the process of planning some joint programs with the Montgomery County Housing Authority, which should provide additional services to their residents. The City Department of Community Resources provides the means for the Commission on Aging to have some input into programs for elderly tenants.

ATTACHMENT X



*Lincoln Park
*Economic Development
* IBM Grant
*SSFP
*Statistical Research

*Ordinance
*Seminars
*Training
*Research
*Complaints

*Grants
Nutrition
Transportation
Housing
*Rec. & Cultural
* Assoc. & Clubs
*Research

*Free Clinic
*Crisis Center
*Program Planning
*Psychologist
*Employment Counseling

Annapolis

The Housing Authority of the City of Annapolis serves families receiving social service assistance, the elderly, the young, and all families whose income will not allow them a decent home in which to live on the open market.

In dealing with social service related problems, the authority is awaiting the actual funding of a Resident Services Program between HEW and HUD. When this program is funded, the Housing Authority of the City of Annapolis and the Anne Arundel County Housing Authority will be operating jointly with the county department of social services in the development and continuance of the program.

At present, the Annapolis and Anne Arundel County Housing Authorities jointly operate a Nutrition Program to feed 110 families under a federally funded program for the period of one year with a plan to expand the program in the next two to three years.

Recreation for public housing tenants is provided by the Recreation Department of the City of Annapolis. To date, additional cooperative efforts with other state or county agencies have not materialized.

Cambridge

The Housing Authority of Cambridge currently has two projects, one with 150 units, and another with 40 units, both for low-income families. Senior citizens of Cambridge are in need of public housing facilities, but as of yet, have not been able to obtain any.

Cambridge did gain approval from HUD for 50 units of housing for the elderly, but a disagreement between HUD officials and the city

commissioners on site selection has delayed their construction. This situation has not been resolved, and thus, the housing units have not been built.

The housing authority considers its responsibility to go beyond that of managing housing projects. It has set up a referral service for tenants which will enable them to contact the appropriate county agency which deals with their specific problem. The housing authority has no dealings with state agencies, however, certain county agencies are being helfpul in a limited capacity.

Hagerstown

The Housing Authority of Hagerstown operates seven public housing projects with a total of 1,005 units (soon to be reduced to 1,001 because four units will be converted into day care centers). Five of the housing authority's projects are for families, while two are exclusively for the elderly.

The housing authority pays no taxes, but the City and County, in ratio to their taxes, receive ten percent of the total shelter rent. Shelter rent is the total rent received less the cost of electricity, heat, water and sewer used by the tenants and paid for by the authority. The following chart shows what the City and County received in lieu of taxes in the past two fiscal years:

	Fiscal Year Ended 9/30/73	Fiscal Year Ended 9/30/72
City	$13,571.45	$ 8,882.96
County	20,562.83	13,159.94

The amount of the payment in lieu of taxes increased over the previous year due to the addition of the Noland Village project.

The total income of the authority in the past year from rent, excess utility charges and other income, including interest and charges to tenants for breakage, was $539,286 or $55.96 per dwelling unit per month, compared to $46.61 the previous year. The income from the previous year was greatly reduced due to rent reductions and credits resulting from the Brooke Amendment. The total cost of operation, including utilities, maintenance, overhead and improvements was $516,784. The residual receipts of $22,502 were placed in the operating reserve to meet emergencies. The total annual cost of interest and retirement of bonds is $633,630, which will be paid with the U. S. Government Subsidy.

All projects have active tenant organizations which sponsor bingo, parties and dances. Other activities include Boy Scouts, Cub Scouts, 4-H Clubs, non-sectarian religious story hour, volunteer craft classes for children and a well baby clinic by the local health department. Two three-bedroom units are being used as a day care center at Noland Village which is operated by the Washington County Board of Education and is serving 25 pre-school children. As mentioned previously, this program is slated to be expanded in the coming year. The board of education also operates a Home Start Program and a Parent-Child Center at Noland Village.

The housing authority is now preparing to hire a full-time social worker to help with the problems of its 1,003 tenants.

VI. SUMMARY AND PERSPECTIVE

The preceding pages are a description of the functional area of community development as it presently exists and operates in the State of Maryland. Community development was described and discussed on all three governmental levels, the federal, state and local, and included the relationships which exist among all three levels in formulating policy and providing services.

One point which stood out clearly in the preceding pages was that at different governmental levels the concept of community development tends to have different meanings. For example, on the municipal level, community development is, with few exceptions, synonomous with the housing authority. As the governmental level rises to the county and state tiers, the community development concept is broadened to include additional activities such as social services, recreation, and health, in addition to housing.

An additional point of interest revolves around the rather unique relationship patterns found among governmental levels in the functional area of community development. For example, except for authorizing the establishment of housing authorities, neither the state, nor counties, nor municipalities have any direct control over these agencies. All county and municipal housing authorities have a direct one-to-one relationship to their federal counterpart, found within the U.S. Department of Housing and Urban Development. On the other hand, the State Department of Economic and Community Development must depend upon the generosity

of the State Department of Planning to receive "701 Planning Funds" which originate at HUD. Finally, the relationship between the State Department of Economic and Community Development and the few counties who have community development departments is erratic, that is, there is a much better cooperative effort in this functional area with some than with others.

Does, in fact, a link to solve the problems presented in the last two paragraphs exist within themselves? That is, would the relationship patterns among the various levels of government who provide services in community development be clarified, if the functional area could be defined more specifically? In other words, to return to questions presented much earlier in this paper--is community development purely physical in nature, or should it also be concerned with the social requirements of its clients? Do middle-class, and even the wealthy, as well as low-income citizens also qualify for community development programs? Can and should clear cut boundaries be established which separate community development and other functional areas such as transportation, economic development, public health, water and sewerage, and education so as to provide services which are necessary, while at the same time avoiding duplication?

Perhaps, if answers to the above questions can be provided, the distinct roles of the various governmental levels in providing community development services can be more readily established.

APPENDIX A-1

HOUSING AUTHORITIES IN THE STATE OF MARYLAND

Housing Authority of Annapolis
Mr. Arthur Strissel, Jr. Exec. Director
P.O. Box 1727
Annapolis, Maryland 21404 (263-2394)

Housing Authority of Anne Arundel County
Mr. Edward Roberts, Exec. Dir.
6652 Shelly Road
Glen Burnie, Maryland 21061 (768-2723)

Housing Authority of Baltimore City
Mr. Robert C. Embry, Commissioner
222 East Saratoga Street
Baltimore, Maryland 21202 (396-3242)

Housing Authority of Crisfield
Mr. W.T. Wilson, Exec. Dir.
P.O. Box 26
Crisfield, Maryland 21817 (968-0288)

Cumberland Housing Authority
Ms Mary Miltonburger, Commissioner
Mr. William M. Long, Exec. Dir.
First St. & Memorial Avenue
P.O. Box 506
Cumberland, Maryland 21502 (724-6606)

State of Maryland
Dept. of Economic and Community Development
Mr. Joseph G. Anastasi, Sec.
2525 Riva Rd.
Annapolis, Maryland 21401

Housing Authority of the Town of Easton
Mr. J. Gordon Firstman, Chairman
P.O. Box 777
Easton, Maryland 21601

Calvert County Housing Authority
Mr. Walter Wilson, Chairman
County Courthouse
Prince Frederick, Maryland 20678

Elkton Housing Authority
Mr. John S. Wells, Exec. Dir.
P.O. Box 328
Elkton, Maryland 21921 (398-5018)

APPENDIX A-2

HOUSING AUTHORITIES IN THE STATE OF MARYLAND

page two

Frostburg Housing Authority
Mr. William W. Sluss, Exec. Dir.
Meshach Frost Village
Frostburg, Maryland 21740 (689-9700)

Housing Authority of the City of Frederick
Ms. Myers, Exec. Dir.
23 West Sixth St.
Frederick, Maryland 21701 (662-8173)

Hagerstown Housing Authority
Mr. Norman L. Foltz, Exec. Dir.
11 W. Baltimore Street
Hagerstown, Maryland 21740 (733-6911)

Havre de Grace Housing Authority
Mr. Cornelius J. Smith, Exec. Dir.
300 N. Union Avenue
Havre de Grace, Maryland 21078 (939-3292)

St. Mary's Co. Housing Authority
Dr. James P. Jarboe, Chairman
Box 431
Leonardtown, Maryland 20650

Wicomico Co. Housing Authority
Mr. Philip Dashiell, Exec. Dir.
911 Booth St.
Salisbury, Maryland 21801 (749-1383)

Housing Authority of Cambridge

City Hall
Cambridge, Maryland 21613 (228-6856)

Ms. Anne Marie Dykes
College Park Housing Authority
9014 Rhode Island Avenue
College Park, Maryland 20740
(345-3600) (277-0839)

Mr. Richard T. Bieniasz, Director
Glenarden Housing Authority
8629 Leslie Ave.
Glenarden, Md. 20801 (772-7228)

Mr. Hubert S. Nichols, Chairman
Federalsburg Housing Authority
304 W. Central Avenue
Federalsburg, Maryland 21632

APPENDIX A-3

HOUSING AUTHORITIES IN THE STATE OF MARYLAND

page three

Mr. William Hoopengardner, Chairman
Denton Housing Authority
c/o Emory Dobson, Mayor
The Commissioners of Denton
Denton, Maryland 21629

Mr. John T. Potts, Chairman
Community Development Committee
Office of the County Executive
Court House
Ellicott City, Md. 21043

Ms. Soroko, Dir.
Housing Authority of City of Rockville
14 Moore Drive
Rockville, Maryland 20850 (762-3444)

Mr. Earl Morgan, Director
Prince George's Co. Housing Authority
9171 Central Avenue
Hampton Mall
Capitol Heights, Md. 20027 (336-3900)

Mr. Bernie Tetreault, Director (Exec.)
The Housing Authority of Montgomery County
1400 Fenwick Avenue
Silver Spring, Maryland 20910 (585-3950)

Mr. Honiss Cane, Chairman
Somerset Co. Housing Authority
County Courthouse
Princess Anne, Maryland 21853

Mr. Bernard Ames, Dir.
St. Michaels Housing Authority
St. Michaels, Md. 21663 (745-9105)

The Reverend Richard C. Hughes, Chairman
Pocomoke City Housing Authority
City Hall
Pocomoke City, Md. 21851

Mr. Ralph Dulaney, Chairman
Wicomico County Housing Authority
911 Booth St.
Salisbury, Md. 21801

APPENDIX G

INFORMATIONAL REPORT
ON
TRANSPORTATION

INFORMATIONAL REPORT

ON

THE FUNCTIONAL AREA

OF

TRANSPORTATION

AUGUST 16, 1974

(For Discussion Only)

MARYLAND COMMISSION ON THE FUNCTIONS OF GOVERNMENT

EXECUTIVE BUILDING
140 MAIN STREET
ROOM 301
ANNAPOLIS, MARYLAND 21401

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I. INTRODUCTION

The functional area of transportation interrelates with most of the other functional areas such as economic and community development, education, public health, correction, public safety, and water and sewerage, in obvious ways. First of all, transportation interacts with all the preceding areas in that it provides personnel with the individual mobility necessary to get to and from their jobs. Second, fluid mobility on a much broader scope, is necessary if the enormous potential for economic growth in the state is to be realized.

Transportation related activities have a significant impact in determining the particular life-style of every American citizen. With the advent of the "energy crisis" during the past year, the preceding statement has become even more obvious. Where a person lives is also extremely important in determining the type of transportation necessary for an individual to carry on his chosen way of life. For example, urban areas, many of which possess a concentration of our nation's poor, must have a dependable and relatively inexpensive mass transit system to transport city dwellers from one location to another. On the other hand, in suburbs and rural areas, where some mass transit systems have, to date, proven to be even more financially unprofitable than those in urban settings, the automobile is usually the most popular means of transportation. Finally, in many instances, a combination of the different modes

of transportation is needed to satisfy the demands of our expanding population.

Of course, the particular vehicle utilized to transport people or goods is only a part of what is involved in the functional area of transportation. Other aspects of transportation include the construction of roads, whether super highways or neighborhood streets, and the building of rail lines, both above and below ground, for the operation of rapid rail transit systems. Also, conditions for safe navigation must be maintained on Maryland's numerous waterways, especially the Chesapeake Bay, for both commercial shipping and recreational boating (federal responsibility). Finally, Maryland's system of airports, both public and private, must be maintained and operated in both an efficient and safe manner.

At the present time all three levels of government in the State of Maryland, that is, the state, the counties, and the municipalities are involved in transportation activities. As mentioned previously, many other activities performed by these three levels of government, for example, police and fire protection, zoning, and building depend upon the existence of a workable, comprehensive, state-wide transportation system. Thus, close coordination between the state and local governments in developing a viable transportation system is mandatory if proper progress is to be made in all other functional areas with which state and local governments are concerned.

This paper is organized in the following manner:

First, the five transportation agencies within the State Department of Transportation will be described. This description will include background information; organizational arrangement; responsibilities; legal, operational,

and budgetary authority; and relationships.

Second, a description of transportation activities at the local level, both county and municipal, will be presented. This description will include the same five broad areas of information that were utilized in the state transportation activities portion of this paper.

Finally, a discussion of particular administrative, operational and fiscal problems dealing with transportation, that affect both the state and local governments, will be included.

II. TRANSPORTATION AT THE STATE LEVEL

Article 41, Section 207 of the Annotated Code of Maryland legally establishes the Department of Transportation as a principal department of the state government. The head of the Department of Transportation is a Secretary who is appointed by the Governor with the advice and consent of the Senate. The first Secretary of Transportation was appointed on April 1, 1971.

The Maryland Department of Transporation (DOT), part of the reorganization of the executive branch of the state government, officially opened on July 1, 1971. Although Maryland was the thirteenth state to create a unified state transportation agency, the Maryland Department of Transportation is unique in its scope and strength. DOT centralizes all transportation modes and economic resources in support of state-wide transportation development. The State has also granted DOT almost total flexibility in the use of funds for transportation development, although the Department of Transportation does go through the same budgetary procedures as other state agencies to obtain their funds.

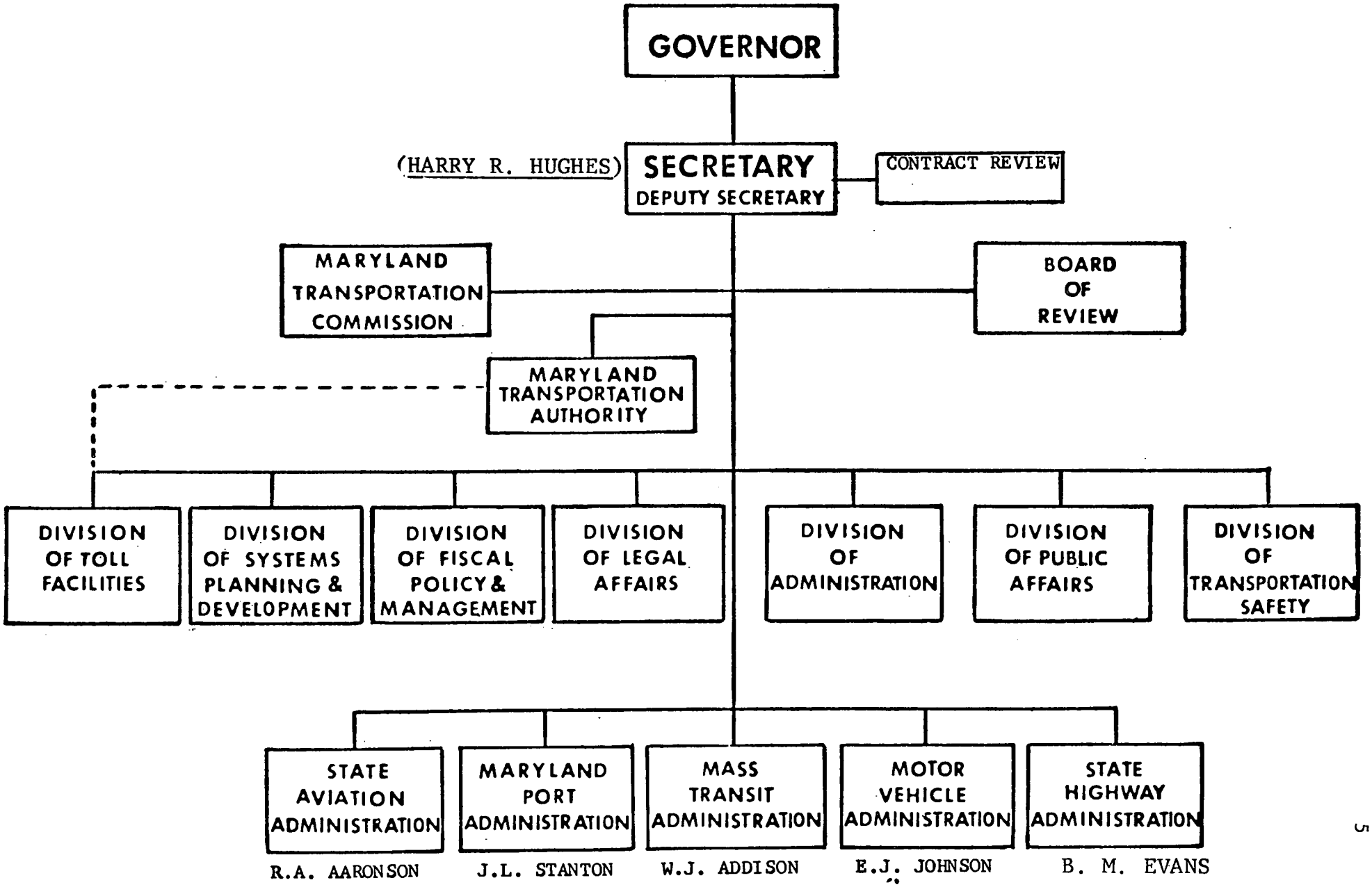
The primary objective of the Maryland Department of Transportation is to develop, construct, operate and maintain a safe, efficient and balanced transportation system for the citizens of the State. In order to achieve this goal, DOT's headquarters attempts to integrate functional duties and model resourses into a comprehensive transportation system that maximizes the resourses available to the Department of Transportation. The aim of such an effort is the construction of a multi-model transportation system that utilizes the best features of all modes and produces a transportation system which provides transportation services for all citizens, contributes to the economic needs of the State, and is sensitive to the social concerns of the community.

The Maryland Department of Transportation brought together under the authority of the Secretary the five primary transportation agencies in the State: the State Aviation Administration, the Maryland Port Administration, the Mass Transit Administration, the Motor Vehicle Administration, and the State Highway Administration -- in all, over 9,000 full-time employees. Refer to Chart 1, page 5, for a view of the organization of the Maryland Department of Transportation.

The Maryland Department of Transportation is strictly a special fund agency of the state government. All revenues collected by or for DOT are deposited into the Transportation Trust Fund for program allocation. DOT is also the recipient of funds from the federal government in the form of grant-in-aids.

MARYLAND DEPARTMENT OF TRANSPORTATION

CHART 1



FY-73 Actual Expenditures - Department of Transportation

Special Fund Expenditure	$303,974,838	=	78.9%
Federal Fund Expenditure	81,390,200	=	21.1%
Total Expenditures	$385,365,038		

FY-74 Appropriations - Department of Transportation

Special Fund Expenditure	$423,123,676	=	65.1%
Federal Fund Expenditure	226,896,460	=	34.9%
Total Appropriations	$650,020,136		

The specific revenue sources which comprise the special fund revenues of the Department, are as follows:

a) Highway user revenues.

1) State gasoline tax.

2) Motor vehicle registration fees.

3) Motor vehicle licensing fees.

b) Corporate income tax (3/4 of 1%).

c) Enforcement of motor vehicle weight and size limitations.

d) Operating revenues from port operations.

e) Bus fare revenues.

f) Aviation operating revenues.

g) Miscellaneous fees from rentals, sale of maps, etc.

Office of the Secretary

The responsibilities of coordinating the ongoing operations between five transportation areas and charting their future through a state-wide master plan fall on the staff divisions supporting the Secretary of Transportation. The Office of the Secretary of DOT is broken down into six assigned areas of staff responsibilities. These staff assignments which are organized into Divisions, cover the following areas: Public Affairs, Legal Affairs, Fiscal Policy and Management, System Planning and Development, Transportation Safety, and Administration.

In addition to the staff divisions within the Office of the Secretary, there exists also a Division of Toll Facilities which develops, constructs and maintains all toll facilities of the State. This particular responsibility is somewhat separated from other model and functional lines of responsibilities because of the special financial structure that exists within the toll facilities of the State.

Because special revenue bonds are used to finance all toll facilities and these revenues are separate from the Department's Trust Fund, the Maryland Toll Authority sits as the policy-making board for all toll facility matters. The Authority is chaired by the Secretary of Transportation and has the staff resources of the Office of the Secretary at its disposal. Such an arrangement insures that the activities of the Authority and DOT's administrations are integrated into the total transportation system for the State.

It is through the combined efforts of the various staff functions performed at the Secretariat level that broad policies and programs are developed. It is in the formulation of such policies and programs at the

Secretariat level that priorities are determined and delegated to the operating administrations for implementation.

FY-73 Actual Expenditures - Office of the Secretary

Special Fund Expenditure	$80,930,520	=	100%
Federal Fund Expenditure	_____	=	0%
Total Expenditure	$80,930,520		

FY-74 Appropriations - Office of the Secretary

Special Fund Expenditure	$89,872,840	=	98.6%
Federal Fund Expenditure	1,175,900		1.4%
Total Appropriations	$91,048,740		

State Aviation Administration (SAA)

Maryland's first aviation agency, centered around the promotion and development of aviation, came into being in 1929. The Commission underwent reorganization in 1956, and it was in that year that registration of aircraft and pilots was initiated. In 1964, the first Airport Development and Construction Loan Program was established, making available a fund of $500,000 from which municipalities could borrow to finance the construction of their airports. In 1968, a second such program increased the fund to $1,000,000.

From 1950 to 1970, the number of general aviation airports in the State increased from sixteen to forty-four; the number of airmen from 2,055 to 7,450; the number of aircraft from 862 to 1,794.

The State Aviation Commission became the State Aviation Administration (SAA) within the State Department of Transportation upon its organization in

July, 1971. For a view of the organizational set-up of SAA, refer to Chart 2, page 10. SAA is responsible for the promotion, encouragement and development of general aviation within Maryland, as well as the operation and improvement of the State's major air carrier airport, Baltimore-Washington International Airport.

General aviation includes all scheduled supplemental and intrastate civil flying, except that performed by the interstate air carriers. It includes business aviation, both corporate and individual, and commercial flying -- air taxi, aerial application, survey and patrol. SAA has responsibilities in three basic areas related to general aviation: airports, administration, and safety and education.

In brief, the State Aviation Administration is a multi-function agency. It operates Baltimore-Washington International Airport, which is state-owned, and provides technical aid to other municipal airports. SAA is also promoting the planned development and the maintenance of a state system of airports. Steps required for continuing progress in general aviation in the State are now being investigated through the Maryland Aviation System Planning Study, to be conducted over a two-year period, which will recommend programs for development of Maryland's aviation facilities through the year 1995.

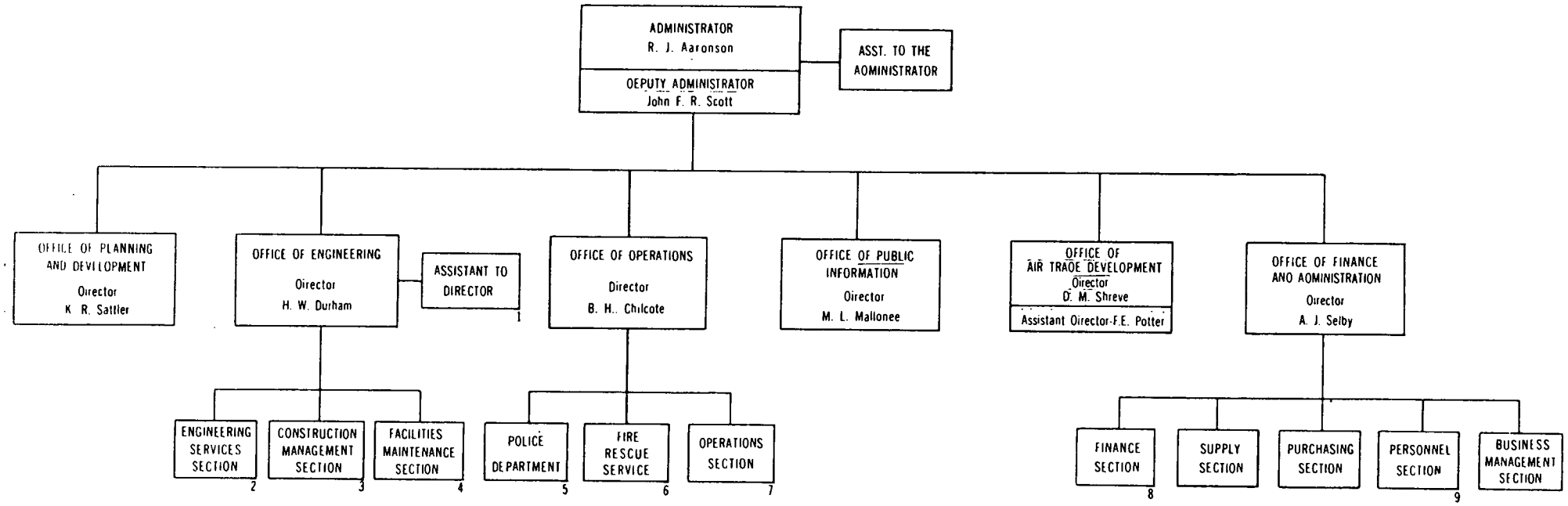
The State Aviation Administration interfaces with local governments in several basic areas as follows:

a) SAA licenses all airport sites, however, this function is coordinated very closely with local zoning officials. An airport must be considered geographically safe before SAA will license it. If it is safe, SAA will approve it subject to:

CHART 2

Maryland Department of Transportation

STATE AVIATION ADMINISTRATION/ORGANIZATION STRUCTURE



1 R. F. Carrick
2 R. E. Kadlubowski, Chief
3 R. W. Mitchell, Chief
4 R. O. Gaffney, Chief
5 M. J. Burton, Captain
6 B. L. Golas, Chief
7 O. J. Urbanski, Chief
8 G. E. Poplawski, Chief
9 W. O. Hauck, Chief

1) Local zoning approvals.

2) Federal air space regulations.

b) SAA assists communities in planning. This function is tied together by the state's long-range plan for a system of airports. This will involve a considerable amount of local input and also will involve public hearings.

c) SAA aids communities which have airports. Such communities are eligible to receive a federal capital grant to develop, improve and expand their airports. The sharing ratio for such grants, available only to publicly-owned airports, is federal, 75%; state, 12 1/2%; and local 12 1/2%.

d) SAA is able to provide non-fiscal airport assistance to all airports as long as they are public-use facilities. Such assistance can take the form of providing safety equipment, conducting maintenance, painting runway markings, loaning equipment (e.g., rotating beacons), and similar acts of this kind.

SAA has a close working relationship with the State Department of Economic and Community Development (DECD) which is quite aviation-minded. Officials within DECD believe that community airports are important for a variety of reasons, especially for economic (business and tourism), emergency, and recreational purposes.

A couple of new developments which occurred during the 1974 General Assembly session that either have or will affect SAA's operations are as follows:

a) Land-Use Bill of 1974 (H.B. 807). This Bill will make state-local planning more necessary, because airports are automatically areas of "critical concern."

b) Airport Noise Bill of 1974 (S.B. 870). Again, here the State must work with communities to keep airplane noise levels at a bearable level.

FY-73 Actual Expenditures - State Aviation Administration

Special Fund Expenditure	$7,524,621	=	100%
Federal Fund Expenditure	_____	=	0%
Total Expenditure	$7,524,621		

SAA's program is currently primarily oriented to rehabilitate Baltimore-Washington International Airport. Thus, in FY-73, $7,423,923 of the preceding total was spent on Baltimore-Washington International Airport.

FY-74 Appropriations - State Aviation Administration

Special Fund Expenditure	$18,961,308	=	86.7%
Federal Fund Expenditure	2,866,500	=	13.3%
Total Expenditure	$21,827,808		

Maryland Port Administration (MPA)

The history of the Port of Baltimore has set a standard of growth and service that persists today in the national and international scope of the Maryland Port Administration's activities. The Port's activity began about 1706 and developed slowly until 1758, when grain shipping from Baltimore became a major industry. With the advent of the nation's first railroad,

the Baltimore and Ohio, the Port of Baltimore, in the 1880's became the Liverpool of America. By 1970, the Port of Baltimore had gained third place nationally in total foreign commerce tonnage--28,027,609 long tons. The Dundalk Marine Terminal is now the world's premier import automobile center. The entire Port facility spans 45 miles of Baltimore harbor shoreline, each year serving some 4,600 vessels from more than 250 world ports. In terms of wealth alone, in 1968, a conservative estimate of more than $1.5 billion annually, 11.7 percent of Maryland's gross state product was attributed to the Port.

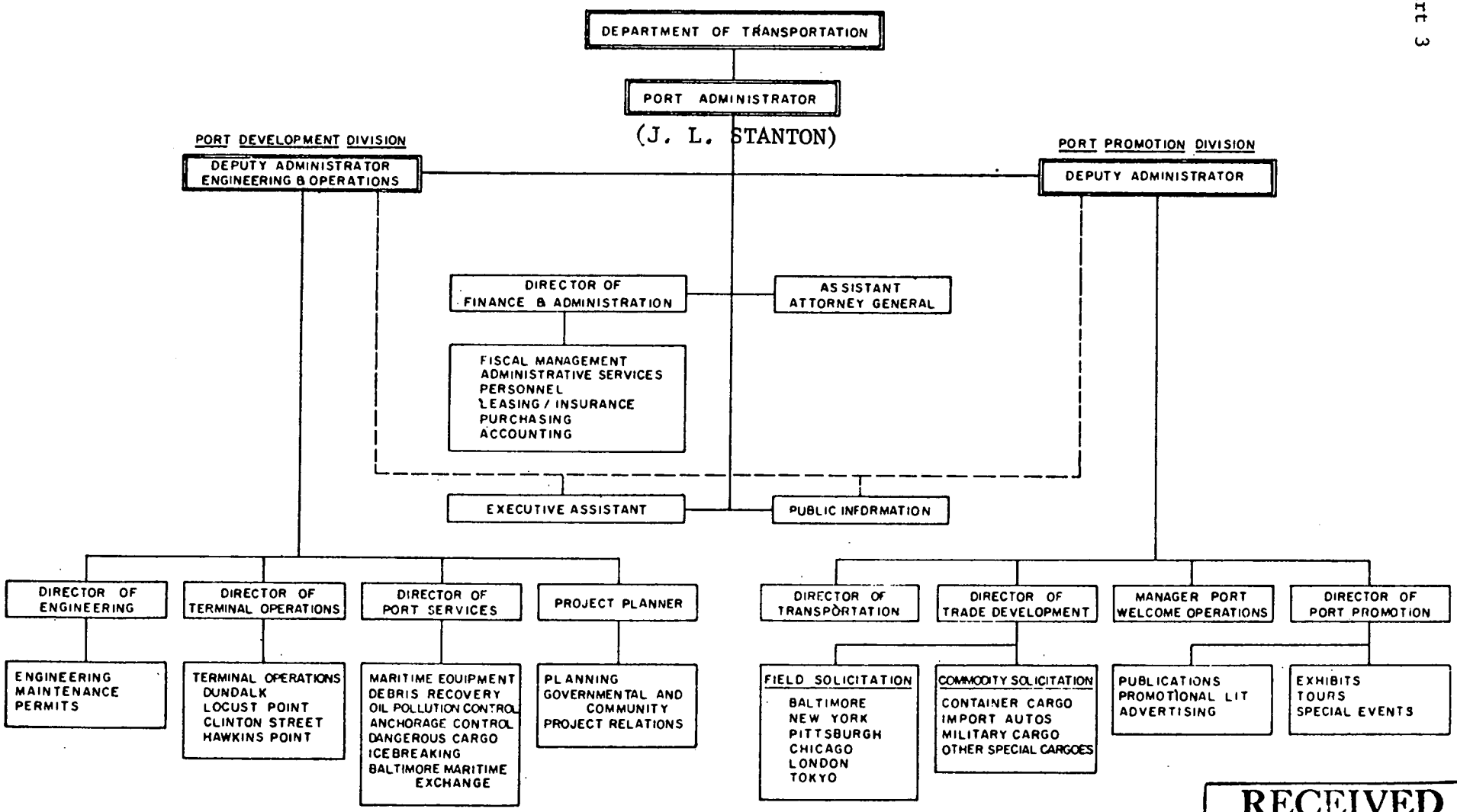
The Maryland Port Administration (MPA) formerly the Maryland Port Authority, was created on July 1, 1971, as part of the Maryland Department of Transportation. An organization chart of MPA (Chart 3) can be found on page 14.

In pursuit of its mission, the protection, promotion, and development of commerce at the Port of Baltimore, MPA is responsible for the planning and improvement of the Port's facilities and support of the efforts of the private operator. If private facilities are inadequate, MPA is empowered to construct and operate supplementary public facilities. In addition to its headquarters in Baltimore, MPA has full-time trade development offices in Chicago, New York, and Pittsburgh, and abroad in Tokyo, London, Birmingham, Brussels, and Hong Kong.

The work of MPA is conducted through two divisions, Port Development and Port Promotion. Port Development includes the Departments of Engineering, Terminal Operations, and Port Services. Under the Division of Port Promotion are the Departments of Transportation, Trade Development, Port Promotion and

CHART 3

MARYLAND PORT ADMINISTRATION



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"Port Welcome" operations. A third unit, headed by the Director of Finance and Administration, provides support service such as financial management, accounting, data processing, real estate, leasing, insurance, purchasing and other administrative functions to the two divisions.

FY-73 Actual Expenditures - Maryland Port Administration

Special Fund Expenditure	$11,393,664	=	100.0%
Federal Fund Expenditure	_____		
Total Expenditure	$11,393,664		

FY-74 Appropriations - Maryland Port Administration

Special Fund Expenditure	$20,743,153	=	100.0%
Federal Expenditure	_____		
Total Expenditure	$20,743,153		

A large portion of the dramatic rise between FY-73 expenditure and FY-74 appropriations at MPA reflects funds for programs of construction for new facilities, as well as the modernization of facilities which are already in existence.

Mass Transit Administration (MTA)

In 1899, the United Railways and Electric Company, through mergers and consolidations of approximately fifty different railway companies, gave Baltimore its first unified transportation system. In 1935, the United Railways and Electric Company filed bankruptcy in the U.S. District Court in Baltimore. The result of the court proceedings was the emergence of the Baltimore Transit Company, which operated as a private company until its title was acquired by the State of Maryland in April, 1970.

The Mass Transit Administration is the keystone of Baltimore's regional transportation system. As a public agency it serves all segments of the metropolitan Baltimore region, which includes Baltimore City, Baltimore County, and portions of Anne Arundel County. MTA now operates over 800 buses, carrying approximately 100,000,000 passengers over more than 23,000,000 miles annually.

The purpose of the Mass Transit Administration is to develop improved and expanded transit facilities, consisting of rapid transit and bus services operating as a unified and coordinated regional transit system. MTA also has the responsibility of providing technical aid and assistance to communities outside the Baltimore Metropolitan area.

The three main operating functions of the Mass Transit Authority correspond to the organizational divisions of the agency as follows:

a) The Rapid Transit Development Division is responsible for all activities relating to development of a rail rapid transit system in the Baltimore metropolitan district.

b) The Metropolitan Transit System Division is responsible for all operational activities of the bus system in the metropolitan Baltimore district.

c) The Public Transportation Development Division consists of activities relating to the development, preparation, submission and monitoring of grant-in-aid projects from the federal and state levels for all areas of the State.

The Administrator's office coordinates the activities of the three operating divisions. For a more comprehensive view of MTA's organizational arrangement, refer to Chart 4, page 18.

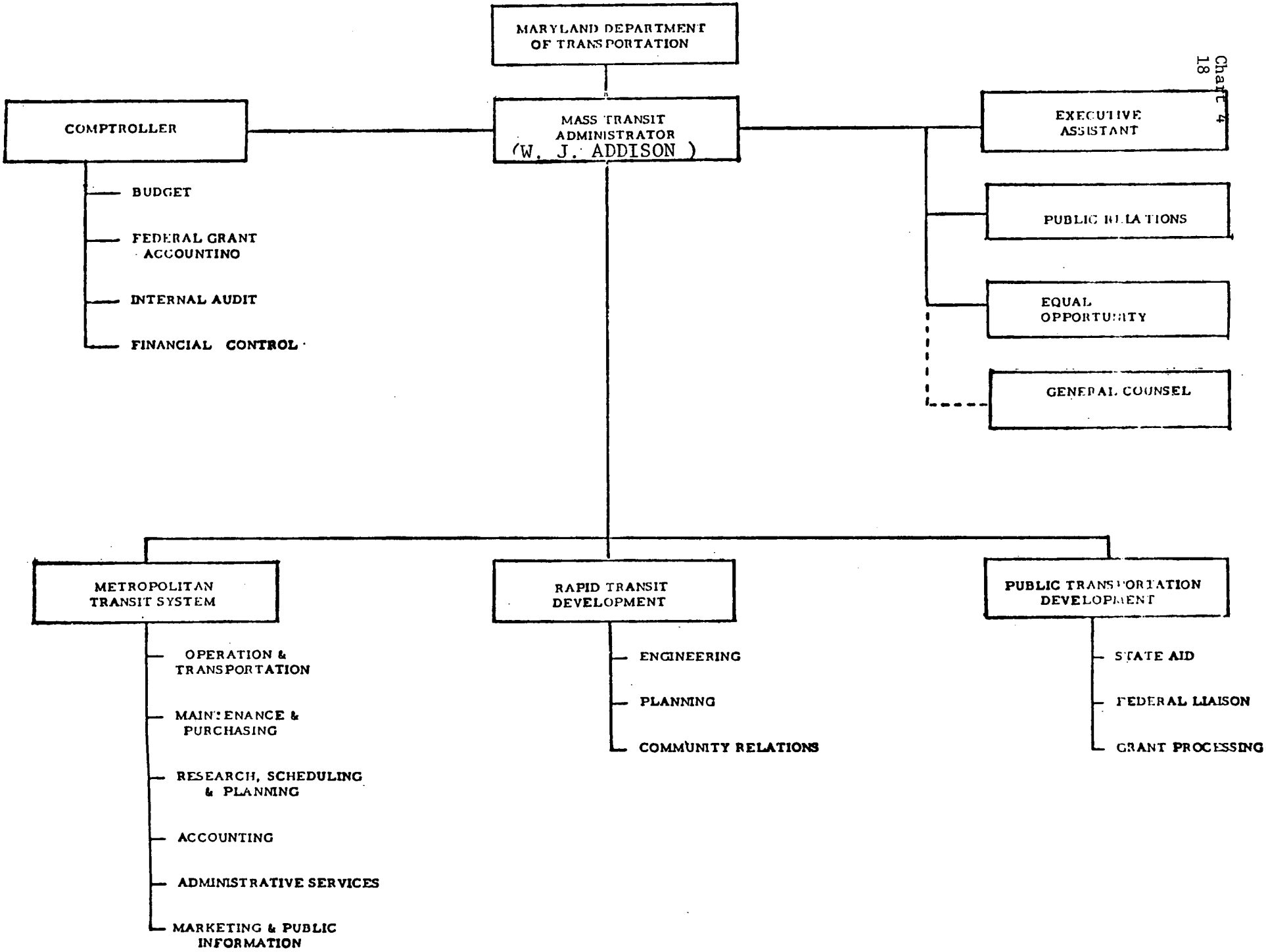
MTA interrelates with local governments in three major areas. First, it is directly involved in planning the rapid transit system and operating the present mass transit system in the Baltimore metropolitan area. Second, it provides financial assistance to Montgomery and Prince George's Counties to help fulfill their obligations as partners with six other local jurisdictions in the Washington Metropolitan Area Transit Authority. Third, MTA provides, upon request, technical assistance and financial aid to small urban areas in the State for the development or improvement of local public transit facilities, as well as preparing and submitting applications for state and federal grants to finance public transportation projects throughout Maryland.

FY-73 Actual Expenditures - Mass Transit Administration

Special Fund Expenditure	$30,690,682	=	99.6%
Federal Fund Expenditure	118,935	=	0.4%
Total Expenditure	$30,809,617		

CHART 4

MASS TRANSIT ADMINISTRATION



FY-74 Appropriations - Mass Transit Administration

Special Fund Expenditure	$64,829,693	=	61.4%
Federal Fund Expenditure	40,733,238	=	38.6%
Total Expenditure	$105,562,931		

The major portion of the approximately 250 percent rise in expenditures of FY-74 over FY-73, is found in $58,301,580 state and federal funds awarded the Rapid Transit Development Division for the acquisition of land and structures to construct the Baltimore metropolitan area regional rapid transit system. FY-75 is slated as the year when commencement of construction of Phase I of this project will occur.

Motor Vehicle Administration (MVA)

The licensing of drivers and vehicles in the State of Maryland began under the authority of the Secretary of State in 1904. However, automobiles became so numerous by 1910 that legislation creating the office of Commissioner of Motor Vehicles was passed. In 1928, the Department of Motor Vehicles was dealing with 295,000 registered vehicles. Today, located in its Glen Burnie complex, MVA issues some two million license tag renewals annually, processes over 600,000 titles, and gives more than 144,000 driving tests in nine regional offices throughout the State.

The Motor Vehicle Administration, formerly the Department of Motor Vehicles, is headed by the Motor Vehicle Administrator, who is appointed by the Secretary with the approval of the Governor. Assisting the Administrator are four Deputy Administrators, each responsible for the supervision of three

functionally related divisions within MVA. There are also eight staff officers supporting the Administrator, the Deputy Administrators, and the Directors of the twelve divisions.

The twelve divisions of MVA are as follows:

a) Operations includes the Divisions of Consumer Services, Vehicle Registration, and Field Services.

b) General Services takes in the Divisions of Data Processing, Departmental Services, and Finance and Statistics.

c) Driver Licensing and Control is made up of the Divisions of Driver Records, Driver Review and Rehabilitation, and Driver Examination and Licensing.

d) Safety Responsibility includes the Divisions of Financial Responsibility, Administrative Adjudication, and Investigative Services.

For a more complete view of the organizational make-up of MVA, refer to to Chart 5 on page 21.

FY-73 Actual Expenditures - State Motor Vehicle Administration

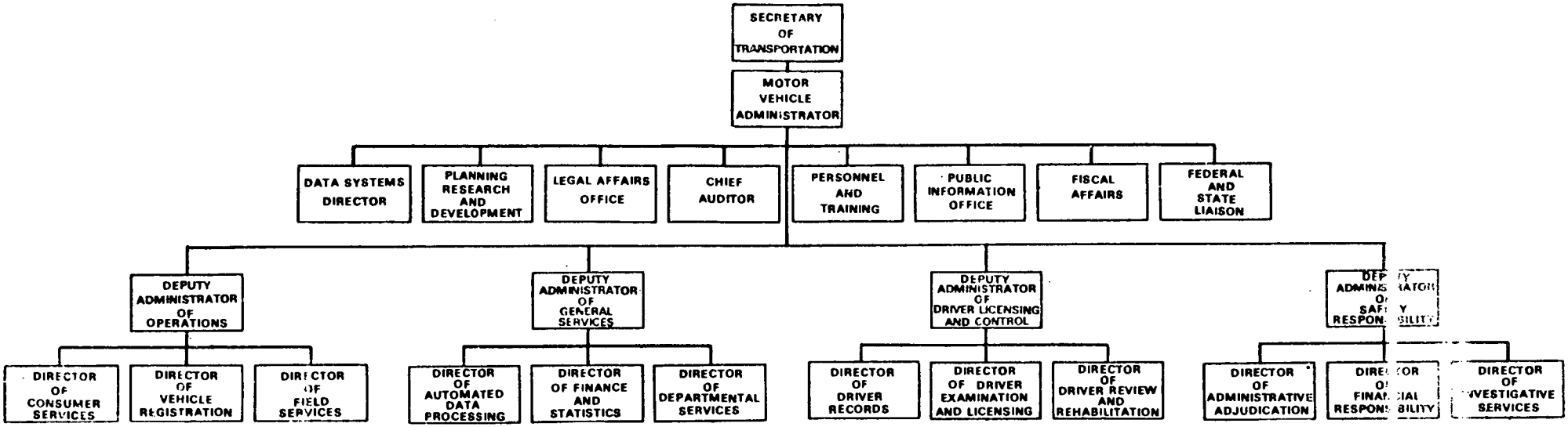
Special Fund Expenditure	$17,598,975	= 99.6%
Federal Fund Expenditure	75,259	= 0.4%
Total Expenditure	$17,674,234	

CHART 5

MARYLAND DEPARTMENT OF TRANSPORTATION

ORGANIZATION CHART

STATE MOTOR VEHICLE ADMINISTRATION



APPROVED _____ DATE
EJNER J. JOHNSON
STATE MOTOR VEHICLE ADMINISTRATOR

APPROVED _____ DATE
HARRY R. HUGHES
SECRETARY
DEPARTMENT OF TRANSPORTATION

APPROVED _____ DATE
MARVIN MANDEL
GOVERNOR OF MARYLAND

FY-74 Appropriations - State Motor Vehicle Administration

Special Fund Expenditure	$19,778,606	=	99.6%
Federal Fund Expenditure	70,822	=	0.4%
Total Expenditure	$19,849,428		

State Highway Administration (SHA)

The first official state action to improve Maryland's roads was taken in 1898, when the General Assembly ordered the Maryland Geological Survey Commission to make a survey of state roads and submit a report. In 1904, the first law authorizing state aid for roadbuilding placed the road program under the supervision of the Highway Division of the Survey Commission. In 1908, the State Roads Commission took over this function and maintained it until 1971, when the Department of Transportation became operational. With the creation of DOT, the State Highway Administration took over the responsibility for highway maintenance and development.

Each year, priority projects are selected from the state-wide Twenty Year Needs Study, compiled by SHA with the participation of all local governments. Projects selected for most immediate action are then placed in a Five-Year Needs Program. An annual program based on these priorities is submitted in the Department's budget, for review, approval and funding by the Maryland General Assembly.

In 1972 the Consolidated Transportation Program of the Maryland Department of Transportation provided for the establishment of two new roadway systems--State Primary and State Secondary Highways. Under the new approach,

funding of the construction and maintenance of State Primary Highways is the sole responsibility of DOT. These highways are removed from the Five-Year Highway Construction Program and are no longer charged against the funds allocated to the counties.

Primary highways are those which connect major regions and population centers in the State and are used mainly for interstate travel. Secondary highways connect smaller urban areas and are used mainly for intraregional travel.

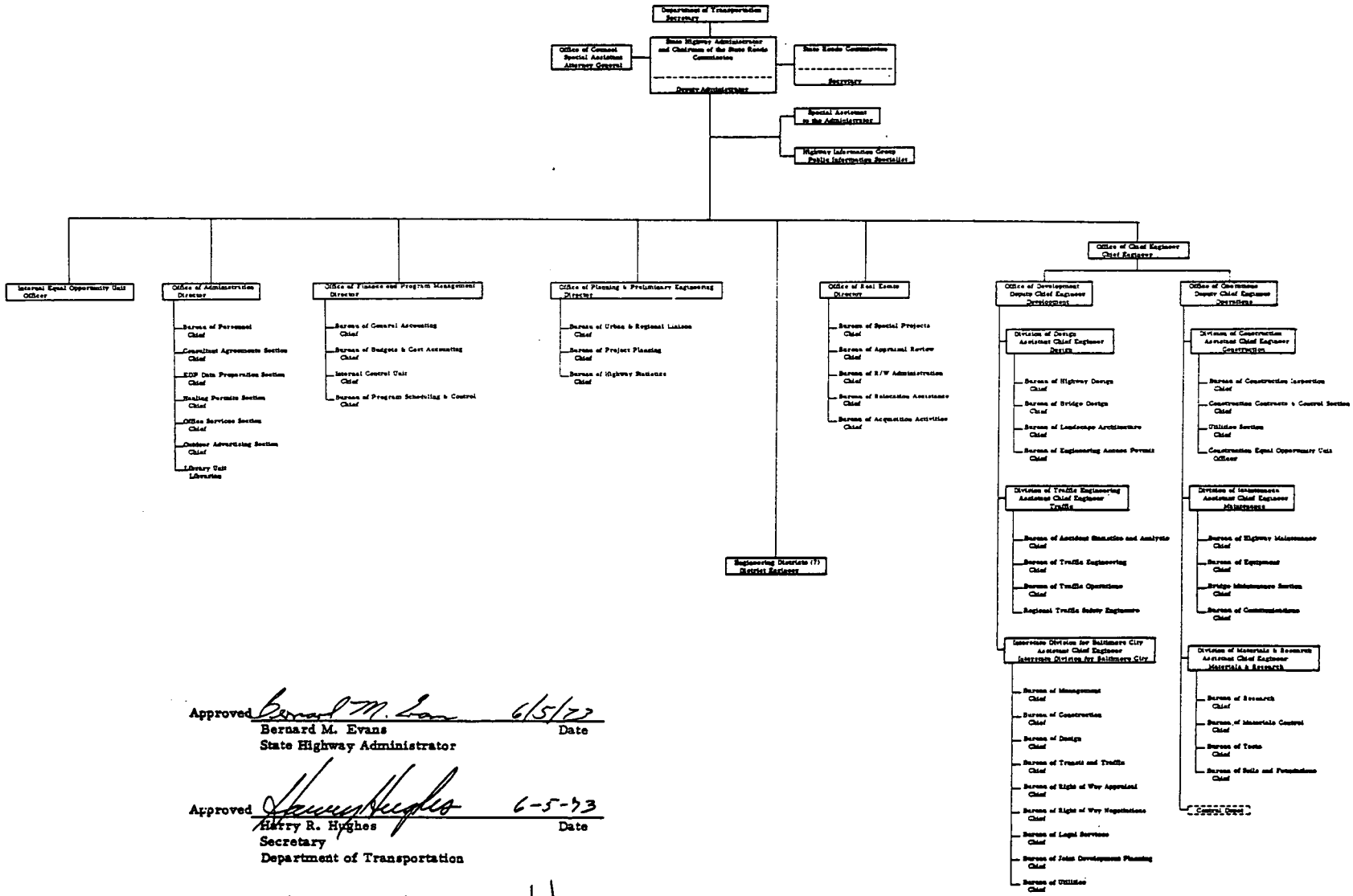
The function of the State Highway Administration is to conduct and maintain a state highway system that is adequate from the standpoints of capacity, service and safety. The Highway Administrator has general responsibility for recommendations to the Secretary of Transportation on highway improvement programs and highway financing.

The State Highway Administration consists of the State Roads Commission, the Office of the State Highway Administrator, and the following units: Office of Counsel, Special Assistant Attorney General, Highway Information Group, Office of Finance and Program Management, Office of Real Estate, Office of Planning and Preliminary Engineering, and the Office of Engineering. For a further look at the organization structure of SHA refer to Chart 6, page 24.

The Maryland State Roads Commission has the sole authority and responsibility for the acquisition by condemnation proceedings of property needed for highway purposes. The Commission is composed as follows: eight members appointed by the Secretary of Transportation with the approval of the Governor; seven regional Commissioners; and, the Chairman of the Commission who is

CHART 6

ORGANIZATIONAL CHART
STATE HIGHWAY ADMINISTRATION



Approved Bernard M. Evans 6/5/73
Bernard M. Evans — Date
State Highway Administrator

Approved Harry Hughes 6-5-73
Harry R. Hughes — Date
Secretary
Department of Transportation

Approved William Mandel 7/23/73
Marvin Mandel — Date
Governor of Maryland

the State Highway Administrator.

The Office of Engineering, under the overall supervision of the Chief Engineer is the principal operating or functional agency of the State Highway Administration. It possesses the responsibility for all survey, designing, construction, maintenance, physical research, and traffic control activities necessary to accomplish SHA's function. The organizational components comprising this office are grouped together under Development and Operations, each under the direct supervision of a Deputy Chief Engineer.

Under the Deputy Chief Engineer for Development, are the echelons for Design, Traffic, and Engineering. Each of these activities is under the direct supervision of an Assistant Chief Engineer. Also, under the Deputy Chief Engineer for Development, is the Interstate Division for Baltimore City, which is administered by the State Highway Administration and the Department of Public Works of the City of Baltimore.

The Deputy Chief Engineer for Operations, is responsible for Construction, Maintenance and Materials, and Research. Each of these echelons is also under the direct supervision of an Assistant Chief Engineer.

Most of the State Highway Administration's offices are located in Baltimore. However, for operational purposes, the State is divided into seven engineering districts. The engineers of these districts are directly responsible to the State Highway Administrator. The districts are as follows:

District No. 1 - Dorchester, Somerset, Wicomico, and Worcester Counties

District No. 2 - Caroline, Cecil, Kent, Queen Anne's and Talbot Counties

District No. 3 - Montgomery and Prince George's Counties.

District No. 4 - Baltimore and Harford Counties.

District No. 5 - Anne Arundel, Calvert, Charles, and St. Mary's Counties.

District No. 6 - Allegany, Garrett, and Washington Counties.

District No. 7 - Carroll, Frederick, and Howard Counties.

Right-of-way and legal offices are also maintained in each of the Engineering Districts.

SHA also maintains, constructs, and administers the road systems of six of the twenty-three counties of the State--Cecil, Kent, Talbot, Calvert, Charles, and St. Mary's.

FY-73 Actual Expenditures - State Highway Administration

Special Fund Expenditure	$158,091,845 = 66.6%
Federal Fund Expenditure	78,940,537 = 33.4%
Total Expenditure	$237,032,382

FY-74 Appropriations - State Highway Administration

Special Fund Expenditure	$208,938,076 = 53.4%
Federal Fund Expenditure	182,050,000 = 46.6%
Total Expenditure	$390,988,076

III. TRANSPORTATION AT THE LOCAL LEVEL

This section of the paper will concentrate on the functional area of transportation as viewed and operationalized at the local government level. Both counties and municipalities will be studied, and examples

of each will be described in order to present the reader with an idea of what the term "transportation" signifies at the local government level. Differences in organizational make-up and the operationalizing of transportation programs in the different local jurisdictions will be stressed.

The activities of the Maryland Port Administration and the Motor Vehicle Administration have always rightfully been the responsibility of one state government, rather than many local governments. The reasons for this occurence are dissimilar, yet obvious. Because of the geographical uniqueness of the Maryland Port Administration's task, and the confusion which would result in law enforcement if every local political subdivision in the State attempted to accomplish the Motor Vehicle Administration's job in any manner it decided was acceptable, there has never been much sharp disagreement concerning this contention. Thus, the three primary functional program areas involving transportation which will be discussed on the local government level are airports, mass transit systems, and highways(street) construction and maintenance. Whenever possible, fiscal data illustrating the cost of these functions will also be included.

The Role of the Counties in Transportation

Airports

There are forty-five public-use airports throughout the State, however, only twelve are publicly owned, and most of these are county airports. It is, therefore, clear that privately-owned airports are invaluable to the the State. The State is encouraging all jurisdictions to accomplish airport master planning studies. The municipalities of Ocean City, Frederick, and Hagerstown

are now involved in such studies. Private airports are not money-makers. They are usually developed by a person, or a group, who are interested in flying as a leisure activity.

At the local level, only the airports near Hagerstown and Salisbury can be considered commercial airports or, by definition, ones that are certified and being served by trunk and local air carriers. The others are primarily general aviation airports open for the use of the general public for personal flying, business flying and instructional flying. Some of them also offer charter flight and air commuter services.

An Instrument Landing System (ILS), to aid pilots in positioning the airplane for its approach to the runway during storms, has been installed at the Wicomic County Airport. It is hoped that similar systems will be installed at the Hagerstown and Cumberland Airports in the near future.

Wicomico County Airport

In June, 1972, Wicomico County purchased the Salisbury Airport from the City of Salisbury. The airport, renamed the Wicomico County Airport is operated by a seven member Commission, the Wicomico County Airport Commission, as a business venture. One member of the Commission is from the City Council while another is from the County Council. The remaining five Commission members are appointed by the Wicomico County Council.

When the County took over airport operations, the City of Salisbury agreed to pay debt service on any capital projects begun during the city's tenure of airport ownership. The total debt service payments currently amount to approximately $11,000 per year of which Salisbury pays about one-

half this amount.

The airport's operating budget is derived from county general funds. The Commission also rents to tenants and has made some profitable real estate leasing agreements. The Commission does not lease any land at the airport. Instead, it builds and leases its own buildings. In each of the last few years, the Wicomico County Airport has come within $8,000 of the break-even point.

The capital budget is planned ahead for five years. However, only one year is official; the remaining four years are projections. The capital budget includes federal and state grants whenever such are applicable.

The Commission's relationship with the Wicomico County government has always been good, due basically to the fact that the airport has been fairly successful. An official of the Commission had nothing but praise concerning the State Aviation Administration. The airport has had one minor problem with the federal aviation administration concerning the removal of an eyesore. This problem, however, was not safety-related.

There is presently an ongoing $600,000 project to construct taxiways parallel to the two main runways, in addition to tightening up on the airport's safety features. This project is funded as follows: 75% federal, 12 1/2% state, and 12 1/2% local. A $272,000 addition to the airport terminal, which will be accomplished by using local funds entirely, is also in the planning stages.

Total number of employees at the airport average between forty-five and fifty. Alleghany Air Lines offers regularly scheduled flights from Salisbury to both Baltimore and Hartford, Connecticut with joint fare connections to other air lines.

The Wicomico County Airport was also recently visited by the Maryland State Police. There is a distinct possibility that the State Police will station their first medivac helicopter outside of Baltimore at the Wicomico County Airport.

Garrett County Airport

The Garrett County Airport, although owned by the County, is leased and operated by Nicolson Air Services, a private company with offices located in nearby Cumberland. The airport has never been a money-making proposition.

The Garrett County Airport is essentially a small, private use type utilized primarily by pleasure-flyers or for emergency medical evacuations whenever necessary.

The total of incoming and outgoing flights per day vary anywhere between zero and thirty. In addition, a few residents of Garrett County garage their private planes in the one hangar available for such use.

Calvert County Airport Commission

To date the only concrete activity accomplished by the Calvert County Airport Commission is in planning a study to determine if Calvert County could use an airport sometime in the future. The State Aviation Administration has pledged $4,000 to the County to aid in the hiring of an engineering consulting firm to undertake a study which would pinpoint the need, location, and type of airport which Calvert County might construct to fulfill its transportation requirements. However, no federal funds have as

yet been received to accomplish this study, and no bids have been made to hire the engineering consulting firm.

Independent of the Airport Commission is an ongoing study of a three hundred member Private Citizen Committee to determine future governmental services required by Calvert County. Within this study group is a sub-committee concerned with the functional area of transportation. If this sub-committee reaches the decision that an airport is not needed in the County, then the entire airport issue and study concerning one will most likely be dropped.

Mass Transit Systems

Washington Metropolitan Area Transit Authority (WMATA)

The two major mass transit systems currently operating within the State of Maryland are the Baltimore Metropolitan Transit System Division of the Mass Transit Administration, a state-owned and operated system, and the Washington Metropolitan Area Transit Authority (WMATA--henceforth referred to as METRO). METRO is an interstate compact mass transit system entered into by and between the State of Maryland, the Commonwealth of Virginia and the District of Columbia.

Although technically an interstate regional agency, the Authority is treated here as an example of a locally-operated mass transit system because of the active participation, both in planning and in financial matters, of the eight local jurisdictions involved. METRO was created in 1967 to plan, develop and operate a rapid rail transit system within the Washington Metropolitan Area Transit Zone, an area which includes the District of

Columbia, the Cities of Alexandria, Falls Church and Fairfax in Virginia, and the Counties of Arlington and Fairfax in Virginia, and Prince George's and Montgomery Counties in Maryland. For additional information concerning the organization, functions, and powers of the Authority, refer to pages 62-63 of the Information Report on Regionalism and Chart 7 on page 33.

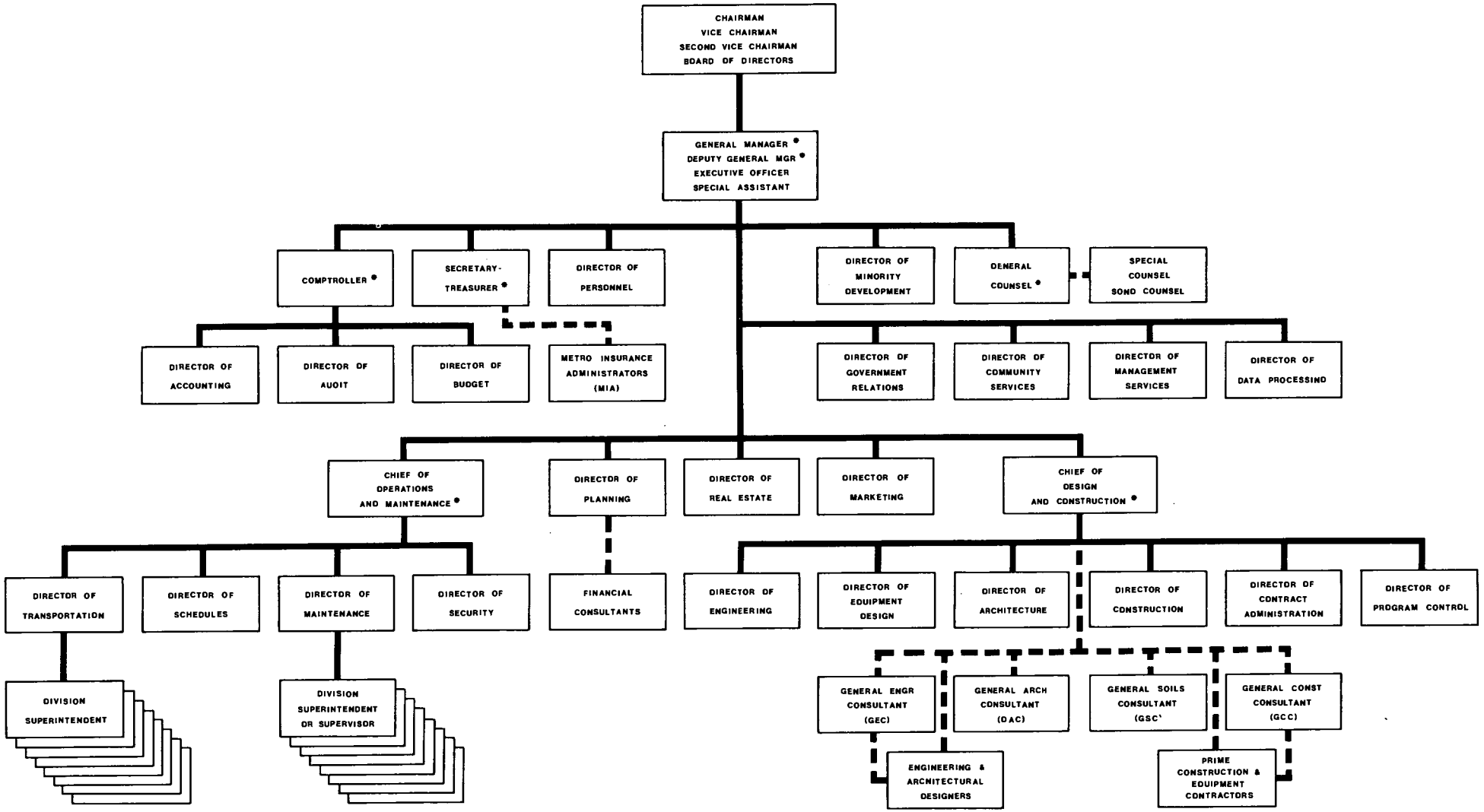
The Washington Metropolitan Area Transit Authority has as its primary mission the planning, developing, and financing of the mass transit system for the local jurisdictions within the Washington Metropolitan Area Transit Zone and the coordinating of its operation.

Groundbreaking ceremonies for METRO were held on December 9, 1969. As of June 1, 1974, thirty-three Metro stations and thirty-one miles of line are under construction. Another thirty-two stations and thirty-nine miles of line are under final design.

During January and February of 1973, the Washington Metropolitan Area Transit Authority acquired the operating assets of the four bus companies which served the Washington area for a total of $53,400,000. Public bus operations first began at 2:00 A.M. on January 14, 1973. Acquisition of all four companies allowed METRO to drop interline transfer charges, extend the senior-citizen discount region-wide, and institute selected fare reductions on routes formerly served by different carriers at different rates.

On April 11, 1972, Governor Marvin Mandel signed the Maryland Consolidated Transportation Act providing $161,000,000 for Prince George's

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY



* OFFICERS OF THE AUTHORITY

ORGANIZATION APPROVED BY WMATA BOARD OF DIRECTORS NOVEMBER 16, 1972

and Montgomery Countys' shares in Metro costs.

Capital funds from all sources through May 29, 1974 total $1,942,200,000. Of these funds, $1,614,500,000 have been contractually obligated through the aforementioned date. Commitments, which include obligations, are distributed as follows:

Design and Engineering	$ 148,500,000
Construction	1,661,700,000
Real Estate and Rights of Way	97,600,000
Project Management	26,400,000
Uncommitted	8,200,000
Total	$1,942,400,000

The $1,942,200,000 has been made available as follows:

Federal Funds	$ 863,900,000
District of Columbia	181,900,000
Maryland	142,200,000
Virginia	108,100,000
Net Bond Proceeds and Interest	646,300,000
Total	$1,942,400,000

Current manpower data on the Washington Metropolitan Area Transit Authority is as follows:

Staff	4,612
General Consultants	853
Other Consulting Firms	602
Construction Firms	6,180
Total	12,247

Salisbury-Wicomico Transportation Authority (SWTA)

The Salisbury-Wicomico Transportation Authority is an example of a mass transit system which serves a small, isolated metropolitan area surrounded by a large rural expanse. SWTA was initiated two years ago by the Greater Salisbury Committee because the local, private bus company in operation at the time was losing money and threatening to go out of business. Thus, the Salisbury-Wicomico Transportation Authority was formed.

In the very beginning SWTA received $2,000 from the Greater Salisbury Committee and similar amounts from Wicomico County and the City of Salisbury to keep the bus company operating. Also, a federal-state-local matching grant was applied for by SWTA in order to purchase five new buses. Finally, SWTA received a $53,000 capital grant from the State Department of Transportation, however an operating subsidy was denied.

At the present time, SWTA operates the mass transit (bus) service for the Salisbury metropolitan area. This bus system basically covers the Salisbury area, however, one route runs south to Fruitland and another one goes as far north as Delmar.

Because of low ridership and high insurance and operating costs, there is no chance at present that SWTA can break even in the operation of it bus system. The answer to this problem, according to an SWTA official is federal-state-local subsidization. At present, the bus system is being subsidized by both the County and the City. The City of Salisbury gives SWTA $2,500 per month to operate the bus system on the condition that SWTA appear before the City Council, also once a month, with an operations report.

Washington County Transportation Commission (WCTC)

In 1970, the private bus system which had served the Hagerstown metropolitan area went out of business. The county commissioners felt that there was a need for a transportation system, so they set up the Washington County Transportation Commission to operate one. After a survey and planning stage WCTC began bus operations in 1972.

After bus operations got underway, WCTC applied to the federal government for a grant to buy buses, incidental equipment, parking areas, and other such necessities. On May 14, 1974, the State of Maryland intervened and announced that a federal-state-county shared grant would be made to WCTC. WCTC had already taken an option on property needed and at the present time, it is looking for the proper type of bus to purchase. An official of WCTC said that approximately fourteen buses will be needed to operate the bus system in a manner to benefit the entire metropolitan area public.

During the first full year of operation, WCTC lost about $100,000. The second year saw a loss of between $80,000 - $90,000. Income from ridership, however, increased nearly forty-five percent during WCTC's first year. The Commission has reason to believe, according to one official that ridership will continue to steadily increase. It is hoped that the increase in ridership will average 10 percent per year. If such is the case, in five years the operating deficit should be in the $25,000 to $40,000 range. Such an amount is one which the County Commissioners have committed themselves to subsidize, if necessary, as a service to WCTC and the general public.

The City of Hagerstown has agreed to provide free utilities, traffic assistance control, and free signing at bus stops in return for the service

it receives from WCTC's bus system. In addition to financial subsidization, WCTC would appreciate any possible state aid available to provide job training for its employees.

Highways and Streets

The organizational structure of departments at the local level which construct and maintain highways and streets basically fall into the following categories:

a) A few of the more developed counties have formulated comprehensive departments of transportation. Montgomery County has all of its transportation agencies consolidated under one umbrella department, while Baltimore County and Baltimore City have several separate agencies which are involved with transportation activities.

b) Several counties have either a Roads Department or a Roads Board which is the agency responsible for the construction and maintenance of highways and streets. Garrett, Dorchester, and Worcester Counties have such organizational arrangements. In such situations, no public works departments exist and all public works projects, in addition to the highways and streets, are carried on by these road departments.

c) In many of the counties in the State, transportation functions are organizationally placed within the County's Department of Public Works.

d) Finally, as previously mentioned in this paper, the State Highway Administration maintains, constructs, and administers the road

systems of six (Cecil, Kent, Talbot, Charles, Calvert and St. Mary's) of the twenty-three counties in the State.

For a complete listing of the organizational structure of all twenty-three county transportation departments, as well as that of Baltimore City, refer to the Appendix.

Montgomery County Department of Transportation (MCDOT)

The Montgomery County Department of Transportation (MCDOT) was established on April 1, 1973. Prior to this date, transportation functions in Montgomery County were handled by a public works department. MCDOT is responsible for everything which had previously been in the public works department except solid waste disposal. MCDOT designs and constructs all county roads, maintains about 1,584 miles of roads, is responsible for storm drainage and installation of traffic signals on county roads, administers public parking programs, and maintains all county vehicles except those of the County Board of Education. MCDOT is also involved in street sweeping, and tree planting. This agency also acquires all rights-of-way for county building, and is presently planning a system of bikeways throughout the County.

MCDOT has a total of 870 people working in the department, and the total FY-75 budget (operating and capital program) is approximately $35,000,000. Because the southern twenty percent of Montgomery County has eighty percent of the population, it is here where most of MCDOT's activities occur.

The legal authority for the Montgomery County Department of Transportation is found in the County Charter. The former Division of Highway Planning has become the new Office of Transportation Planning because the Montgomery County Council is now more mass transit oriented. The County Executive and County Council, not the director of MCDOT, set priorities. The organizational

make-up of MCDOT can be found on Chart 8, page 40.

An official of MCDOT reported that the department receives excellent cooperation in all areas from the Washington Suburban Sanitary Commission, the Washington Metropolitan Area Transit Authority, the Maryland-National Park and Planning Commission, and the Council of Governments. In recent years, MCDOT has been acquiring the habit of performing certain functions for municipalities. For example, MCDOT now takes care of storm drainage for all municipalities, plus MCDOT does leaf collection for one special taxing district and a request from another to do the same has been received.

Dorchester County Roads Board

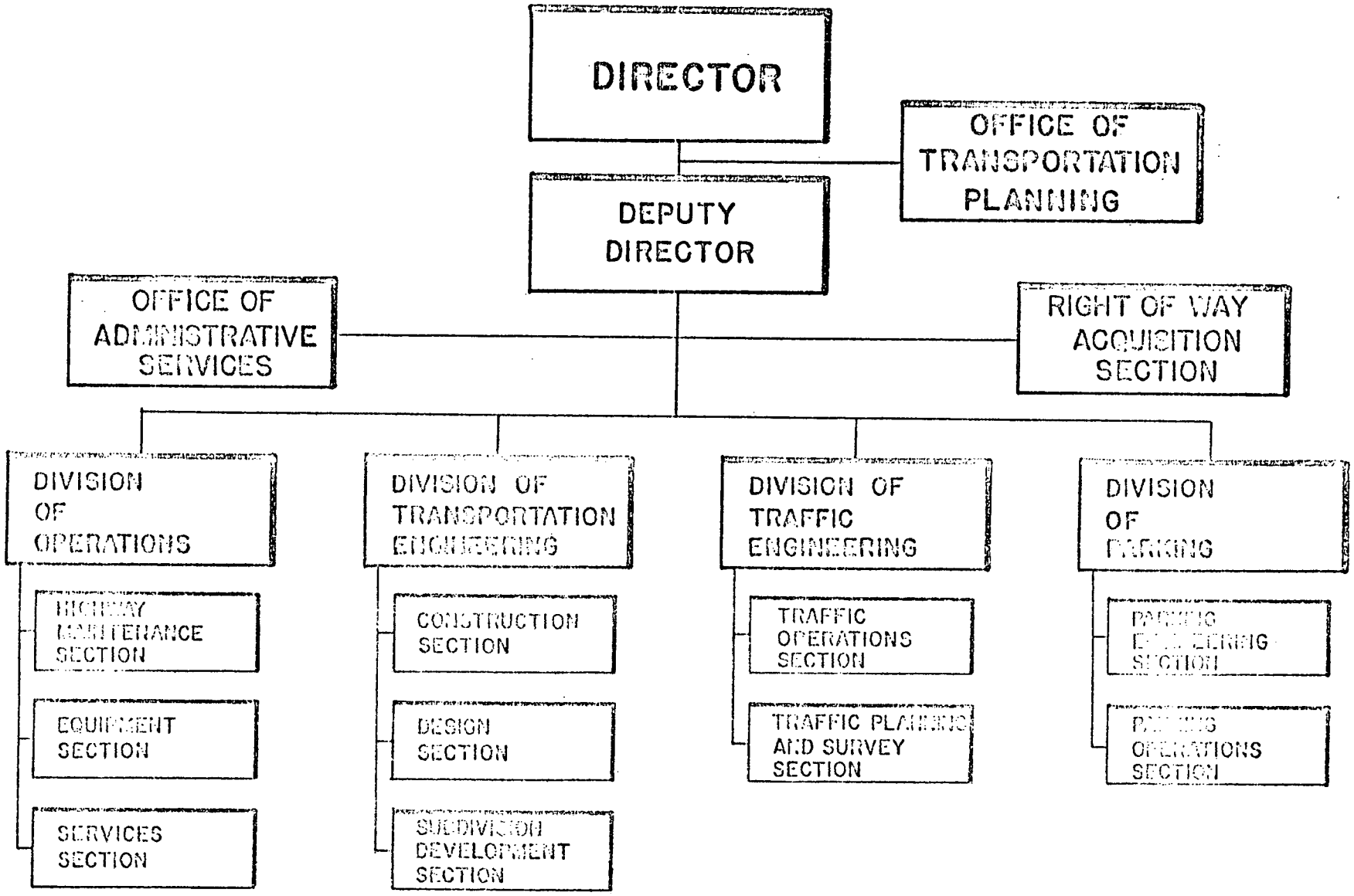
In total, there are some 748.95 miles of roads and streets in Dorchester County with all three levels of government sharing responsibility for maintaining this mileage. The State Highway Administration is responsible for what is called the primary and secondary system of roads within the County. U. S. Route 50 and State Routes 16, 335, 336 and 343 are examples of that system. The roads, or more often, the streets within the incorporated cities and towns are the responsibility of the city or town involved, however, there are exceptions to this rule. Hurlock, Church Creek, East New Market and Cambridge have primary roads going through the incorporated area with the responsibility for such roads being retained by the State Highway Administration. Remaining mileage is the responsibility of the County Roads Board.

The table below indicates mileages involved and responsibility.

Total State Mileage	146.83
Total County Mileage	546.49
Total Municipal Mileage	55.63
Total all systems	748.95

MONTGOMERY COUNTY CHART 8

DEPARTMENT OF TRANSPORTATION



The Dorchester County Highway Department, which is properly labeled a Roads Board or Roads Department was created in 1947. A Roads Board official was of the opinion that the name Roads Board is misleading, because since Dorchester County has no public works department, the County Roads Board has been charged with the responsibility of administering and operating all public works functions. For example, in addition to regular transportation (highway and street) functions, the Dorchester County Roads Board maintains traffic signs, conducts mosquito spraying and dredging operations, maintains county docks, and operates landfills for the County.

Present road planning is based on 2-5 year plans and generally is in the following priorities.

a) Maintenance

With 500 plus miles involved, maintenance is the first priority. Included in this activity are snow removal, bridge repairs, grass cutting, patching, drainage, resurfacing and doing whatever necessary to keep this mileage serviceable.

b) Improving - Upgrading

Since county roads merely came into being to meet the needs of the people at an earlier time, many are narrower than desired for today's volume of traffic and speeds. Also, turns that presented no problem 30 years ago, are not suitable for 50 MPH traffic. As part of this road system, Dorchester County has some 31 bridges that are of timber construction and because of age and construction material are limited to weights that may be transported across them.

Road improvements and upgrading require tremendous amounts of funding. Road planning is limited by that funding. Principle sources of funding, at this point, are from gasoline tax monies, collected by the State and distributed back to the subdivisions and from the Highway Trust Funds. Local funds appropriated for highway use amount to $30,000 per year or the approximate equivalent of $1 per citizen. According to County Roads Board officials, new industries, residential developments, and other desires of the present population require greatly increased highway systems, which, in turn necessitates solid financial planning.

c) New Roads

Major new roads are generally in the state system. However, new streets in the municipalities and developments in the County do add to a locality's mileage. Future planning should require that these roads or streets be brought up to given standards at the time they are taken into the county system so as not to present a financial burden on the county. These costs should be part of the new development in the opinion of Roads Board officials.

The total operating budget for FY-74 for the Dorchester County Roads Board was $1,553,946.23. Of this total, $760,222 was derived from Highway User Revenues.

The Dorchester County Roads Board assists the municipalities of Cambridge, Vienna, Secretary, and Hurlock with different aspects of street maintenance.

Worcester County Roads Board

Transportation activities in Worcester County are also performed under a Roads Board type of organization. All work involving county roads in Worcester County is performed by the Roads Board. The Roads Board is also responsible for the area from 41st Street in Ocean City to the Delaware State Line. Expenses for this section, however, do not come out of the County Roads Board budget; they are billed directly to the County Commissioners.

Also, as in Dorchester County, Worcester County has no public works department, thus the County Roads Board is responsible for all other public works activities. The Roads Board does not work within incorporated municipalities with the one exception of scraping dirt roads for the municipality of Snow Hill.

Table I, pages 44 and 45 is a detailed financial statement of the Worcester County Roads Board for FY-72.

Anne Arundel, Prince George's and Harford Counties

In Anne Arundel, Harford and Prince George's Counties, transportation activities are organized as a subagency within a County Department of Public Works. This type of organizational arrangement, unlike the County Roads Board type, makes the County Department of Public

TABLE I

WORCESTER COUNTY ROADS BOARD

STATEMENT OF REVENUE AND EXPENDITURES

YEAR ENDED JUNE 30, 1972

REVENUE:		
State of Maryland - Highway user revenue	$660,189.28	
Income from state aid project.	18,336.44	
County Commissioners of Worcester County - Appropriations - Levy of 1971 (Roads, etc.). .	142,860.50	
Equipment rental	54,471.50	
Reimbursement for overhead expenses.	16,816.70	
Interest on investments.	17,224.02	
Rent	90.00	
Sale of fixed assets	1,500.00	
Miscellaneous income	16.54	
Total Revenue (Forward).		$911,504.98
EXPENDITURES:		
Surface treatment - New roads.	$ 8,470.11	
Widening and improvements.	1,263.23	
Surface treatment (oiling) - Old roads	180,503.33	
Roadways - Scraping, guttering	14,354.07	
Public projects - From local tax monies.	135,742.70	
Drainage - Ditching, pipework.	51,619.16	
Bushing.	11,355.74	
Shoulder work - Scraping, patching	55,860.74	
Bridges - Maintenance.	9,250.81	
- Construction	24,136.78	
Signs.	4,845.66	
Traffic signal	423.30	
Patching	19,427.01	
Hired mowers	10,153.77	
Snow removal	50.40	
Moving debris.	4,797.34	
Salaries - County Engineer and clerks.	33,502.16	
Salaries - Board members and clerk	10,480.00	
Vacations, sick leave and holiday.	53,689.68	
Gasoline and oil	14,884.07	
Tires, tubes and repair parts.	26,589.51	
Mowing	17,329.96	
State aid projects under construction.	31,980.11	
Outside repairs (Equipment).	5,291.21	
Repair labor (Equipment)	29,405.47	
Perishable tools	1,186.34	
Supplies	807.67	
Heat, light and power.	2,199.01	
Radio communication expense.	2,022.45	
Telephone.	1,111.34	
Insurance.	14,330.07	
Total (Forward).	$777,063.20	

TABLE I

WORCESTER COUNTY ROADS BOARD

STATEMENT OF REVENUE AND EXPENDITURES

YEAR ENDED JUNE 30, 1972

Total Revenue (Forward)		$911,504.98
EXPENDITURES (Continued):		
Total (Forward).	$777,063.20	
County Commissioners of Worcester County - Portion of highway user revenue to offset motor vehicle license revenue loss	67,420.60	
Legal and accounting	1,839.07	
Medical expense.	222.60	
Stationery, stamps and office supplies	1,267.28	
Transportation expense	3,495.85	
Maintenance of property.	1,808.24	
Blue Cross expense	7,130.36	
Social security taxes.	15,775.46	
Retirement fund expense.	17,388.98	
Miscellaneous.	184.07	
Depreciation - Buildings	3,947.63	
- Automotive equipment.	45,941.08	
- Small tools and shop equipment. .	283.82	
- Office equipment.	463.90	
- Miscellaneous equipment	174.00	
- Radio communication equipment . .	2,108.08	
Total Expenditures		946,514.24
EXCESS OF EXPENDITURES OVER REVENUE (Transferred to Exhibit A)		$ 35,009.26

Works the all encompassing structure. In other words, the Department of Public Works has overall responsibility for all public works activities, including transportation, while the division or bureau, or office of transportation need concern itself only with those functions specifically related to transportation.

State Highway Administration in Charles County

Except for an eleven month period in the mid 1950's, the State has maintained Charles County roads. As far as maintenance is concerned, the State does everything to a Charles County road that it would do to a state road. This, of course, does not mean that Charles County does not pay for such road maintenance. What it does mean is that Charles County, through county general funds and the state-shared Highway User Funds contracts all its road construction and maintenance out to the State.

The Road Supervisor for the State Highway Administration Office in Charles County works with two separate budgets--one county and one state. He gets a monthly report from Baltimore (the State) on what expenditures have been and what balance remains. All State Highway Administration (SHA) employees in Charles County are state employees within the state merit system. However, for hours that an SHA employee works on county roads, he must be paid from county funds.

The SHA Roads Supervisor in Charles County believes that state maintained roads are more beneficial for the county than the State. Such a contractual arrangement relieves the county of all responsibility for actually constructing or

maintaining highways. Of course, one disadvantage is that when there are two projects to be done at the same time, one on a state road and one one a county road, the state road will usually get top priority.

The Charles County operating budgets for both state and county roads average about $40,000 per month.

The Role of Municipalities in Transportation

In examining the role of municipalities in the area of transportation, it appears that each municipality has basically the same responsibilities. Broadly speaking, each municipality is responsible for maintaining the streets, sidewalks, airports and bridges which lie within its boundaries and are neither state, county nor privately owned. This usually involves the municipality in street construction and repair; street sanitation, snow removal and street cleaning; traffic control and parking; street lighting, and, in some cases, storm sewers. In addition to these functions, some municipalities maintain airports, bridges and mass transit systems. Each municipality may label their transportation programs differently. However, basically the preceding are their responsibilities. (To see precisely what transportation programs certain municipalities funded during FY-69-73, see Table II, pages 48 to 50.

Although municipalities have similar transportation functions, the size of their tasks and therefore the manner in which they are performed varies. Large, heavily populated municipalities naturally have greater transportation responsibilities than smaller municipalities. Therefore, it is the larger municipalities which usually create the more elaborate organizations to deal with transportation. Thus, in discussing transportation,

TABLE II

ITEMIZED EXPENDITURES FOR TRANSPORTATION MADE BY MUNICIPALITIES

DURING FY-69-74

(A SAMPLE OF MUNICIPALITIES LOCATED THROUGHOUT THE STATE)

MUNICIPALITY	ITEMIZED EXPENDITURES	1969	1970	1971	1972	1973
Annapolis (Anne Arundel)	Road repairs and maintenance	238,749	231,880	232,237	260,424	402,906
	Street design layout and construction	100,000	168,000	176,000	250,000	348,000
	Street lighting	63,416	61,109	82,272	94,181	110,000
	Street sanitation	96,507	98,228	119,362	114,767	140,063
	Parking	10,700	10,400	10,700	16,200	38,000
Total Expenditure		509,372	569,617	620,571	735,572	1,038,969
Bowie (Prince George's)	Street maintenance	81,801	101,000	140,362	150,340	193,540
	Transportation planning	-	-	-	-	10,000
	Traffic engineering	-	-	4,000	11,000	23,120
	Traffic control	-	125,000	143,456	148,800	152,700
Total Expenditure		81,801	226,000	287,818	310,140	379,360
Crisfield (Somerset)	Street and highway	20,093	62,761	26,100	26,170	25,649
	Street Lighting	13,836	13,850	13,924	17,998	20,417
	Airport	12,275	3,349	3,182	1,842	1,493
Total Expenditure		35,204	79,960	43,206	46,010	47,559

TABLE II (CONT.)

MUNICIPALITY	ITEMIZED EXPENDITURES	1969	1970	1971	1972	1973
Cumberland (Allegany)	Street maintenance and construction	443,627	343,639	363,170	383,243	463,679
	Street lighting	62,530	66,742	71,511	79,473	87,137
	Snow removal	25,883	54,595	66,979	44,565	29,437
	Street cleaning	53,236	46,342	48,725	50,150	54,025
	Airport	40,982	107,375	147,890	43,658	42,819
	Storm Sewers	48,737	16,332	15,806	31,500	43,730
Total Expenditure		674,995	635,025	714,081	632,589	693,827
Hagerstown (Washington Co)	Street department	531,738	617,885	700,173	824,923	602,367
	Engineering Department	150,143	160,033	170,356	177,510	164,817
	Planning Department	-	-	-	5,500	5,500
	Signal Department	124,463	115,001	151,690	146,346	135,940
Total Expenditure		671,344	892,919	1,022,219	1,154,279	908,624
Hampstead (Carroll Co.)	Maintenance and operating expenses	2,098.86	1,601.65	6,044.17	3,801.70	1,136.12
	Capital outlay	-	194.00	1,020.00	-	-
	Street lighting	5,311.88	4,308.89	5,190.50	5,238.05	5,431.75
	Traffic control	782.90	657.31	1,092.59	848.55	945.02
	Salaries	2,319.72	2,997.35	3,276.00	3,445.00	3,510.00
Total Expenditure		10,513.36	9,760.20	16,622.26	13,332.30	11,022.89

TABLE II (CONT.)

MUNICIPALITY	ITEMIZED EXPENDITURES	1969	1970	1971	1972	1973
La Plata (Charles Co.)	Road and bridge construction and maintenance	21,000	21,500	21,500	23,000	40,000
	Street lighting	8,500	8,500	9,000	9,500	10,100
Total Expenditure		29,500	30,000	30,500	32,500	50,100
Salisbury (Wicomico Co.)	Streets	193,903	240,051	232,988	239,832	226,904
	Bridges	3,000	0	0	0	0
	Curbs, Gutters and Sidewalks	42,000	40,000	61,000	55,000	55,000
	Street lighting	100,800	108,600	121,200	125,600	127,600
	Traffic signs and lighting	76,583	73,117	82,998	87,051	89,359
	Snow removal	6,000	6,000	7,000	7,000	5,000
	Street Sweeping	31,130	16,984	21,264	23,581	25,940
Total Expenditure		453,416	498,752	526,448	538,124	529,803
Thurmont (Frederick Co.)	Streets, roads, alley	43,286	66,220	79,811	62,588	95,181
	Sidewalks	6,812	1,803	-	10,500	1,328
	Street lighting	7,790	8,795	8,760	9,172	9,399
	Snow, ice removal	3,118	4,919	4,186	4,202	3,695
	Public parking	-	-	-	-	251
Total Expenditure		61,006	81,737	92,757	86,462	109,854

the municipalities will be divided into two categories. First the smaller municipalities which have a population of approximately 1,000 and under will be considered. Then the discussion will shift to an examination of the more populous municipalities. Once this is completed, the relationships between municipalities and other levels of government will be considered.

Municipalities With Populations of Approximately 1,500 or Under

Among municipalities with populations of 1,500 or under, the usual pattern is for transportation to be the responsibility of the "general government." It is the mayor and/or municipal commissioners who directly handle transportation matters. In some instances, a small road crew, consisting of one to five men, is retained by the city to do minor road repair and maintenance. Regardless of whether a municipality has its own road crew, nearly all towns of this size contract private firms to conduct major construction and maintenance work. In fact, several small towns delegate all road work to private companies. In addition to road maintenance and repair, the municipalities pay for street lighting.

The following table exemplifies how small municipalities fulfill their transportation responsibilities.

Municipality	Population	Official Body Responsible for Transportation Function	Work Allocation
Poolesville (Montgomery County)	349	Commissioners	Street repair and maintenance by contract
Garrett Park (Montgomery County)	1,258	Councilmen	Contract all work

Municipality	Population	Official Body Responsible for Transportation Function	Work Allocation
Union Bridge (Carroll County)	904	Mayor and Councilmen	Contract Street Maintenance and Repair
Hampstead (Carroll County)	961	Street Committee of Council; One man maintenance department	Reconstruction by contract
Friendsville (Garrett County)	566	Town Council	Construction and maintenance contracted
Luke (Allegany County)	500	Five man crew	Contract out large repair work.

Municipalities With Populations Over 1,500

There are a few municipalities with populations over 1,500 where the "general municipal government" continues to assume sole responsibility for transportation matters. However, for the most part, the mayor and/or city council in large municipalities establish some type of specialized department to assist them with transportation matters. It is difficult to generalize about these departments since they vary in name, size and complexity. Therefore, a sample of municipalities will be examined to illustrate the various ways in which transportation can be handled.

Salisbury

In Salisbury, the Public Works Department assumes responsibility for the construction and maintenance of streets, bridges, curbs, gutters and

sidewalks; street lighting; traffic lighting; snow removal and street sweeping. In addition to maintaining city roads, the city partially subsidizes the Wicomico County Transit Authority (WCTA) which operates the city bus service. In exchange for city funding, the WCTA must present a monthly report of its operations to the City Council. A special problem for Salisbury is the summer beach traffic. Some public officials feel the City should be compensated for the damage done by summer tourists.

Cumberland

The Public Works Department is responsible for street lighting, the municipal airport and flood control facilities. This department also supervises the street department which maintains and constructs streets and alleys, and provides street cleaning and snow removal. According to a Public Works official, Cumberland has two problem areas. The first concerns the operation of its municipal airport. Since Cumberland's airport is actually located in Mineral City, West Virginia, the airport is subjected to unusual Mineral City taxes. Cumberland's second problem, according to the same Public Works official is that the city does not receive sufficient State Highway Users revenue to cover the greater expense of building and maintaining roads in the Cumberland area. The official contends that groundwater in Western Maryland increases the cost of maintaining Cumberland roads, therefore, the city should be granted additional transportation funds.

Hagerstown

In Hagerstown the following departments are involved with transportation: street, signal, engineering and planning departments. The

street and signal departments report to the Board of Public Works and the Mayor-City Council. While the street department is responsibile for overall street maintenance, the signal department's concern is with traffic control. Reporting solely to the Mayor-City Council is the engineering department which handles all public works engineering and construction contracts, including the municipal airport. With responsibility for comprehensive transportation planning and capital budgeting, the planning department reports to the Planning and Zoning Commission and the Mayor-City Council. In addition to the usual municipal transportation duties, the Hagerstown city government assumes a modest role in the operation of a new bus service. The City Council provides free utilities, traffic controls and bus signs for the Washington County Transportation Commission which runs the bus system. Furthermore, the City provides financial support for an on-going mass transit study.

Annapolis

In Annapolis the Department of Public Works, the Police Department and the Planning and Zoning Commission are each involved in the transportation area. The Public Works Department supervises the street department which is divided into the following branches: street sanitation, street repair, and street signs and markers branches. As in other municipalities, the Annapolis Police Department provides meter maids, crossing guards, and traffic patrolmen.

The city of Annapolis, the county, and the state have jointly undertaken a study to examine the immediate and long-term need for public trans-

portation in the area. Currently, in Annapolis there is no city owned and operated bus service, although a private local bus line and MTA buses provide limited service to the City. The public transportation study and a study of the street traffic system will be completed in a series of phases over a one or two year period.

Rockville

Two departments share the transportation function in the City of Rockville. The Public Works Department is responsible for traffic engineering, roadway design and construction inspection, roadway maintenance, sign installation and maintenance, and snow removal. Transportation planning and subdivision planning falls within the jurisdiction of the Planning Department. According to a Rockville Transportation official, the two departments interact well. A traffic engineer and a transportation planner work closely together and provide the primary link between the two departments.

According to a Rockville official, Rockville has three special transportation problems. The first involves state scheduling. The city is repeatedly inconvenienced when the State falls behind its projected schedule for road work. Second, Rockville like many other cities its size, suffers from inadequate mass-transit facilities. To help alleviate the problem, the city is involved with plans for Metro and Project Trip, a county program which would provide bus service for Rockville. The last problem the official maintained, concerns Rockville's highly vocal citizenry which in some instances blocks necessary transportation programs.

From surveying both large and small Maryland municipalities, a pattern emerges. In the small municipalities with populations of 1,000 or

under, the "general government" usually contracts private firms to perform some or all necessary transportation services. The larger municipalities which have greater demands placed upon them, establish specialized transportation agencies, often located within public works departments, and retain a permanent staff to cope with transportation matters.

Interaction

As municipalities of all sizes seek to fulfill their transporation responsibilities, they continually interact with other levels of government. Of primary concern is the municipalities' fiscal relationships with the federal, state and county governments. The municipalities have their own sources of revenue which include parking fees, general assessments, and special assessments against property holders. At the same time, however, the municipalities look to the counties for revenue obtained from the state gasoline and motor vehicle revenue account of the Transportation Trust Fund. The municipal officials also said they depend upon state shared income taxes, race track taxes, and federal funding for additional money. A few municipalities complained that the highway users revenue which passes through the county is undependable and that present state-federal funding is inadequate.

For information about transportation expenditures made by municipalities see Table III, pages 57 and 58. This table lists the total FY-69-73 expenditures made by several Maryland municipalities for transportation. Because increased population creates more traffic and greater road wear, population has been isolated as one important factor which might explain variations in transportation expenditures. The per capita expenditure figures indicate how much per person each municipality spends on transportation. Although population is a significant factor in analyzing transportation expenditures,

TABLE III
TRANSPORTATION EXPENDITURES MADE BY MUNICIPALITIES
DURING 1969 - 1974
(A Sample Of Municipalities Thoughout The State)

MUNICIPALITIES BY POPULATION	1969	1970	1971	1972	1973	TOTAL 1969-1973	POPULATION (1970 CENSUS)	1970	1973	TOTAL 1969-1973 *
	EXPENDITURES PER YEAR							PER CAPITA EXPENDITURE		
UNDER 500										
LAYTONSVILLE (Montgomery)	$ 1,307	$ 1,509	$ 1,764	$ 2,542	$ 37,015	$ 44,137	293	$ 5.15	$126.33	$150.63
900 - 3000										
RIVERDALE (Montgomery)	66,152	63,328	77,058	74,142	71,432	352,112	5,724	11.06	12.47	61.51
MIDDLETOWN (Frederick)	10,624	25,320	23,618	24,300	20,891	104,753	1,262	20.06	16.55	83.00
THURMONT (Frederick	61,006	81,737	92,757	86,462	109,854	431,816	2,359	34.64	46.56	183.05
HAMERSTEAD (Carroll)	10,513.36	9,760.20	16,622.26	13,332.30	11,022.89	61,251.01	961	10.15	11.46	63.73
OAKLAND (Carroll)	89,154.25	52,235.10	63,031.65	93,008.47	67,916.36	365,345.83	1,256	41.52	54.07	290.87
FEDERALSBURG (Caroline)	33,315.25	27,288.06	42,037.04	32,602.20	44,521.00	179,763.55	1,972	13.83	22.57	91.15
CRISFIELD (Somerset)	35,204	79,960	43,206	46,010	47,559	251,939	3,078	25.97	15.45	81.85
LA PLATA (Charles)	29,500	30,000	30,500	32,500	50,100	172,600	1,561	19.21	32.09	110.57

*Total per capita expenditure over a five year period - FY-69-73.

TABLE III CON'T
TRANSPORTATION EXPENDITURES MADE BY MUNICIPALTIES
DURING 1969 - 1974
(A Sample Of Municipalities Throughout The State)

MUMICIPALITIES BY POPULATION	1969	1970	1971	1972	1973	TOTAL 1969-1973	POPULATION (1970 CENSUS)	1970	1973	TOTAL 1969-1973
		EXPENDITURES PER YEAR						PER CAPITA EXPENDITURE		
OVER 15,000										
BOWIE (Prince George's)	81.801	226,000	287,818	310,140	379,360	1,285,119	35,000	6.45	10.83	36.71
BALTIMORE CITY	3,508,804	3,724,193	3,824,066	3,584,825	3,964,404	18,606,292	905,759			20.54
SALISBURY (Wicomico)	453,416	478,752	526,448	538,124	529,803	2,526,543	15,252	31.38	34.73	165.65
ANNAPOLIS (Anne Arundel)	509,372	569,617	620,571	735,572	1,038,969	3,474,101	29,500	19.30	35.21	117.76
CUMBERLAND (Allegany)	674,995	635,025	714,081	632,589	693,827	3,350,517	29,724	21.36	23.34	112.72
HAGERSTOWN (Washington)	671,344	892,919	1,022,219	1,154,279	908,624	4,649,385	35,800	24.94	25.30	129.87

* Data obtained from a survey made of Maryland municipalities.

it is not the only notable factor. Road mileage, terrain and tourism are all variables which contribute to differences among municipalities in transportation expenditures.

Intergovernmental interaction also arises when county, federal and/or state owned roads intersect municipalities. Although some municipalities speak of cooperation in the maintenance of these roads, numerous city officials complain that the counties and State fail to adequately service their roads. Havre de Grace and Indian Head are among many towns which resent having to paint and repair the poorly kept state and county roads in their community.

The operation of mass transit systems in some instances can result in intergovernmental cooperation. In Hagerstown, for example, the transit system is run by the County and partially financed by the City. Rockville is cooperating with other governments in planning Metro and Project Trip.

A final area where cooperation among governments is demanded is in planning. Bowie, for example, commented that it reviews the plans of the county, state and regional agencies, as they affect the Bowie area. It establishes task forces and makes comments in an attempt to influence transportation decisions. While Bowie may feel that it has an effective input into areawide transportation planning, other municipal officials, such as those in Greenbelt, feel that the State Highway Administration has not always consulted with the City on major construction decisions affecting the area.

IV. FINANCING TRANSPORTATION AT THE LOCAL LEVEL

Systems of transportation at the local government level are financed by federal and state, as well as local revenues. This section describes the federal and state methods of contributing to the financing of local transportation systems.

Airports

Federal and state financial assistance to local governments in the area of aviation is covered on page 11 of this report.

Mass Transit Systems

The majority of current rapid transit and bus transportation programs provide for 80 percent federal funding for capital improvements, but no federal funding for operating subsidies. For example, the proposed Baltimore Metropolitan Rapid Transit System (a state-owned and operated system) calls for 80 percent federal funding and 20 percent state funding. The 20 percent state funds portion will come from the Transportation Trust Fund. The additional funding to make this possible comes from the $.02 per gallon tax on fuel added by the 1972 session of the General Assembly. Presently, the State also underwrites 100 percent the operating deficit of the current Baltimore Metropolitan Transit System (buses). In this same system the State is paying for 20 percent of capital equipment costs, while the federal government picks up 80 percent of this tab.

The State of Maryland also participates in financing railroad transportation between Baltimore and Washington, D.C., and between Washington, D.C. and Brunswick, Maryland. For purchase and refurbishment of railroad equipment (capital costs), the shares are federal government, 80 percent; state government, 20 percent. The State also pays 100 percent of any operating subsidies for new service added and 50 percent of the operating deficit of existing services on Baltimore and Ohio commuter service. However, the State Department of Transportation (DOT) has been unable to reach a similar agreement covering Penn Central Commuter service.

The State also assumes a portion of the Prince George's and Montgomery Counties' share of the operating deficit of the Washington Metropolitan Area Transportation Authority's (WMATA) METRO bus system, as well as contributing to the two counties' share in capital expenses for the construction of the METRO rapid rail transit system.

For FY-75, $3,525,000 has been provided by the State for the Montgomery and Prince George's Counties' $7,000,000 total share of Metrobus deficits for the year. Total state appropriations for FY-75 for METRO rail capital construction expenses are $35,792,000. The State pays 75 percent of Prince George's and Montgomery Counties' share for METRO rapid transit construction. In other words, with the following formula of federal government 8C percent, and local government 20 percent (includes Maryland's 4 percent, Virginia's 6 percent, and the District of Columbia's 10 percent), the State of Maryland pays 75 percent of the two Maryland local governments' 4 percent share.[1] The State has also provided some measure

[1]Since passage of the Consolidated Transportation Act of 1972, State DOT has been paying 100 percent of Prince George's and Montgomery Counties' share for METRO rapdi transit construction. Prior to this date, the two counties had already contributed approximately $88,000,000 of an original estimated total shares (before inflation caused this figure to increase) of $249,000,000.

of operating subsidy payments (Urban Bus Grant Program) to smaller mass transit systems throughout the State, an area where federal funds have been in short supply. One hundred thousand dollars in state funds have been appropriated for this program for FY-75.

Federal capital grants are not available for Rural Transit Programs, nor are federal operating subsidies available for either Urban or Rural Transit Programs. Legislation is currently pending in the United States Congress which may correct this situation.

Highways and Streets

Highway User Revenues

Prior to 1970, two separate funds were distributed to the various counties for highway use. The source for the following information on highway user revenues is Article 89B, Sections 34 and 38A of the Annotated Code of Maryland. Generally, before 1970, gas taxes were distributed to each county on the basis of mileage in that county, in proportion to total county mileage in the State. The second fund, Motor Vehicle Taxes, was distributed in accordance to the percentage of motor vehicles a county had registered as such related to the total number of vehicles registered throughout the State. The distribution formulae at this time was the State of Maryland, 60 percent; the Counties, 20 percent; and Baltimore City, 20 percent.

During the 1970 Session of the General Assembly, H. B. 1,000, Chapter 526 directed that the two funds be combined and distributed, so that the counties now receive 17 1/2 percent; the City of Baltimore, 17 1/2 percent; and the State the remaining 65 percent, with a provision that a county shall

receive no less that the amounts received in the year preceding July 1, 1968. H. B. 1000 also phased out the Motor Vehicle Administration's share of financial support to the State Police Budget and State Police Retirement Fund. The 1972 Session of the General Assembly increased the Motor Vehicle fuel tax by $.02 per gallon to $.09 per gallon and provided that the additional tax be added to the Transportation Trust Fund.

Highway user revenues are defined in Article 89B, Section 38A of the Code as the following funds which are credited to the gasoline and motor vehicle revenue account of the Transportation Trust Fund: motor vehicle gasoline tax, motor vehicle titling tax, motor vehicle registration fees, operators' license fees, and overweight and oversized permits fees.

Seventeen and one-half percent of the total highway user revenues is distributed to the Counties and Municipalities by the following formula, conditions, and distribution process, after deducting individual county sinking fund requirements for county highway construction bonds:

Formula:

a) County Share

1) Half of the fund is distributed in the same ratio that the county's road mileage bears to the total county road mileage in the State.

2) Half of the fund is distributed in the same ratio that the number of motor vehicles in the county bears to the total number of motor vehicles registered in the State.

b) Municipal Share

1) Apply to one-half of the county share the ratio which the total mileage of the county roads within the municipality bears to the total mileage of county roads in the county and then allocate the resulting portion to the municipality.

2) Apply to one-half of the county share the ratio which the motor vehicle registrations within the municipality bears to the total number of motor vehicle registrations in the county, and then allocate one-half of the resulting portion to the municipality.

Conditions:

a) Any municipality or special taxing area authorized to construct or maintain streets or roads must request its share of funds in writing from the State Roads Commission by December 31, prior to the beginning of any fiscal year.

b) The municipality must have levied a tax equal to one dollar per capita of its population, and have filed a copy of that levy with the Comptroller.

c) Any such funds left not distributed at the end of the fiscal year due to the failure of a county or municipality to properly file such levy or certification shall revert to the Transportation Trust Fund.

d) Appropriate county and municipal officials shall file with the State Roads Commission by each December 31 a report showing the mileage added to or removed from the county roads system within such county or municipality during the preceding twelve months.

Distribution Process and Uses:

a) The State Department of Transportation will pay to the county within which the municipality lies sufficient amounts to reimburse the county's share for any debt service, bond, or debt issued by the municipality.

b) The State Department of Transportation will pay the remainder of the municipality's share to the proper local officials, to be expended solely for the construction, reconstruction or maintenance of roads or streets, or for bonds or debts resulting from such construction, reconstruction or maintenance.

c) Baltimore City, which alone receives 17 1/2 percent of the highway user revenues, is permitted to use its share for street cleaning, street lighting, and for contributing to that portion of the Baltimore City Police budget which relates to streets, in addition to the uses covered in paragraph b.

A summary of the estimated FY-75 highway user revenue apportionments after deduction of sinking fund requirements to counties and municipalities follows:

	County				
	Total	Road Work Performed By State Highway Administration	Road Work Performed By County	Total	Municipalities Within County
Allegany	$ 1,338,782	.....	$ 988,165	$ 988,165	$ 350,617
Anne Arundel	3,280,655	.....	3,100,273	3,100,273	180,382
Baltimore	6,018,209	.....	6,018,209	6,018,209	.....
Calvert	237,569	$ 212,374	.....	212,374	25,195
Caroline	729,668	.....	658,591	658,591	71,077
Carroll	1,631,407	.....	1,499,426	1,499,426	131,981
Cecil	784,328	694,072	.....	694,072	90,256
Charles	553,398	527,351	.....	527,351	26,047
Dorchester	875,414	.....	765,016	765,016	110,398
Frederick	1,928,437	.....	1,649,858	1,649,858	278,579
Garrett	1,020,831	.....	942,156	942,156	78,675
Harford	1,626,125	.....	1,427,973	1,427,973	198,152
Howard	1,152,029	.....	1,152,029	1,152,029	.....
Kent	452,694	408,964	.....	408,964	43,730
Montgomery	5,950,725	.....	5,418,736	5,418,736	531,989
Prince George's	4,663,250	.....	3,572,105	3,572,105	1,091,145
Queen Anne's	640,229	.....	613,103	613,103	27,126
St. Mary's	452,515	443,472	.....	443,472	9,043
Somerset	507,351	.....	471,129	471,129	36,222
Talbot	636,010	546,774	.....	546,774	89,236
Washington	1,573,731	.....	1,237,022	1,237,022	336,709
Wicomico	1,315,376	.....	1,120,569	1,120,569	194,807
Worcester	847,082	.....	718,489	718,489	128,593
Total Counties	$38,215,815	$ 2,833,007	$31,352,849	$34,185,856	$ 4,029,959
Baltimore City	34,365,201				
Total Highway User Revenue Apportionment	$72,581,016				

(Source: The Maryland State Budget for FY-75: Volume II, January, 1974.)

Federal Aid for Highways

In addition to highway user revenues, the local governments receive highway funds from the federal government. This program is basically a "pass through" of federal money from the Federal Highway Trust. That is, the money usually flows from the federal government to the State, and then on to the localities. These federal funds can be divided into the

following classifications:

a) Secondary Program

b) Urban Program

c) Interstate Program

d) Other Programs (Topics, Highway Planning and Research, and Bridge Construction).

Federal Aid Secondary Funds apportioned by the federal government for 1975 is in the amount of $760,000. Secondary funds are made available to the twenty-three counties on a road mileage basis. Federal Aid Urban for 1975 amounts to $2,170,000. Urban funds are made available to the urbanized areas, recognized by the federal government, on a population basis. Also, the Federal Aid Interstate apportionment for 1975 will permit allocation of $122,000,000 to Baltimore City. Estimated amounts earnable of Federal Aid Secondary and Urban for FY-75 are summarized in Table IV on page 68.

In the absence of specific Secondary and Urban Programs, it is assumed that the respective counties and municipalities will make full utilization of Federal Aid Funds available for construction.

Road mileage inventories as of January 1, 1973, and vehicle registration as of April 30, 1973 used in computing distributable shares are shown in the table on page 69, however, 1975 distribution will be subsequently adjusted to conform with road mileage as of December 31, 1973 and vehicle registration as of April 30, 1974.

TABLE IV

Federal Aid Secondary:

	Total
Allegany	$ 25,136
Anne Arundel	56,277
Baltimore	98,837
Calvert	10,380
Caroline	21,354
Carroll	38,482
Cecil	22,244
Charles	17,499
Dorchester	25,729
Frederick	47,157
Garrett	32,550
Harford	33,292
Howard	22,021
Kent	10,751
Montgomery	70,958
Prince George's	55,165
Queen Anne's	20,316
St. Mary's	18,611
Somerset	15,200
Talbot	15,274
Washington	32,550
Wicomico	29,436
Worcester	22,244
Total Counties	$741,463
Highway Planning and Research (1½%)	11,122
General (1%)	7,415
Total	$760,000

Federal Aid Urban Urbanized Areas Incorporated Places and Unincorporated Places of 5,000 or more:

Annapolis	$ 21,171
Baltimore City	647,401
Cambridge	8,257
College Park	18,630
Cumberland	21,171
Easton	4,869
Elkton	3,811
Frederick	16,937
Frostburg	5,293
Hagerstown	25,617
Havre de Grace	6,986
Laurel	7,621
Rockville	29,639
Salisbury	11,009
Seat Pleasant	5,081
Takoma Park	13,126
Westminster	5,081
State Highway Administration:	
Aberdeen	8,892
Bel Air	4,446
Bladensburg	5,293
Bowie	24,981
Cheverly	4,869
District Heights	5,928
Gaithersburg	5,928
Greenbelt	12,914
Hyattsville	10,797
Lexington Park	6,563
New Carrollton	9,527
Mount Rainier	5,928
Riverdale	4,022
Parts of Minor Civil Divisions:	
Harford County— Districts 1 and 2	$ 17,995
Anne Arundel County— Districts 3, 4 and 5	116,016
Cecil County— District 7	3,811
Baltimore County— Districts 1, 2, 3, 8, 9, 11, 12, 13, 14 and 15	393,140
Charles County— Districts 6 and 8	5,293
Howard County— Districts 1, 2, 5 and 6	15,666
Montgomery County— Districts 4, 5, 7, 9, 10 and 13	286,863
Washington County— District 26	4,446
Prince George's County— Districts 1, 2, 5, 6, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 20 and 21	312,055
Total Urbanized Areas	$2,117,073
Highway Planning and Research (1½%)	31,756
General (1%)	21,171
Total	$2,170,000

Source: The Maryland State Budget for FY-75: Volume II, January, 1974.

	Road Mileage				
		County			
	Total	Road Work Performed By State Highway Administration	Road Work Performed By County	Urban Paved Streets Maintained By Municipalities Within County	Vehicle Registration
Allegany	726.12	.....	539.11	187.01	43,386
Anne Arundel	1,275.71	.....	1,204.85	70.86	173,951
Baltimore	2,116.94	.....	2,116.94	.....	345,070
Calvert	237.82	222.84	.....	14.98	10,826
Caroline	494.23	.....	458.05	36.18	13,593
Carroll	884.95	.....	824.82	60.13	46,540
Cecil	519.31	475.71	.....	43.60	28,269
Charles	386.83	374.32	.....	12.51	28,614
Dorchester	606.69	.....	550.57	56.12	17,312
Frederick	1,143.03	.....	1,010.79	132.24	52,914
Garrett	748.77	.....	697.71	51.06	11,747
Harford	808.64	.....	713.27	95.37	66,723
Howard	470.94	.....	470.94	.....	49,539
Kent	246.61	230.60	.....	16.01	10,048
Montgomery	1,727.36	.....	1,519.67	207.69	328,528
Prince George's	1,607.64	.....	1,182.18	425.46	359,406
Queen Anne's	445.61	.....	434.43	11.18	11,375
St. Mary's	402.38	398.09	.....	4.29	21,627
Somerset	346.75	.....	326.31	20.44	9,340
Talbot	374.46	328.48	.....	45.98	15,754
Washington	867.39	.....	697.23	170.16	59,164
Wicomico	740.75	.....	631.23	109.52	35,101
Worcester	554.41	.....	477.24	77.17	16,459
Total	17,733.34	2,030.04	13,855.34	1,847.96	1,755,286

Note: On the basis of the above, tax revenue apportionments to Counties and Municipalities will approximate 2,330 for each mile of highway.

Source: The Maryland State Budget for FY-75; Volume II, January, 1974.

Under the provisions of Section 32(a) of Article 89B the State Highway Administration, with the consent of the Secretary of Transportation, and under the provisions of Section 8 of Article 15A may, in any fiscal year, allocate from the Transportation Trust Fund to a "County Highway Construction Fund", which is hereby established, a sum equal to such amount of Federal Aid Secondary Highway Funds that may become available from the Bureau of Public Roads and that may be allocated by the State Highway Administration to the several counties and that may subsequently be released by such counties to the State Highway Administration for use on the state highway system. Such County Highway Construction Fund shall

be subject to apportionment by the State Highway Administration and matching construction funds shall be required of each such county participating in such program. Such County Highway Construction Fund and such matching funds shall be expended only for highway construction and reconstruction projects under such rules and regulations as the Administration shall determine.

Furthermore, under the provisions of Section 32 (c), the State Highway Administration, with the approval of the municipality of urban area as the case may be, and with the consent of the Secretary of Transportation and under the provisions of Section 8 of Article 15A may, in any fiscal year, allocate from the Transportation Trust Fund, to a "Municipality-Urban Area Highway Construction Fund", which is hereby established, a sum equal to such amount of Federal Aid Urban Highway Funds that may become available from the Bureau of Public Roads and that may be allocated by the State Highway Administration to the several municipalities and urban areas to the State Highway Administration for use on the State System. Such Municipality-Urban Area Highway Construction Fund shall be subject to apportionment by the State Highway Administration and matching construction funds shall be required of each such municipality and urban area participating in such program. Such Municipality-Urban Area Construction Fund and such matching funds shall be expended only for highway construction and reconstruction projects under such rules and regulations as the Administration shall determine.

In both case, under Article 89B, Sections 32(a) and 32(c), the Maryland Department of Transportation is simply advancing total funds for county and municipal highway construction projects in anticipation of actual receipt of federal entitlement.

The revenue for the County and Municipality Funds Program comprises the following:

Highway User Revenue Apportionment	$ 72,581,016
Remittances by Counties	964,854
Federal Aid:	
Secondary Program	760,000
Urban Program	2,170,000
Interstate Program	122,000,000
Topics	200,000
Highway Planning and Research	50,000
Bridge Reconstruction	975,000
Total	$199,700,870

The expenditure budget for the County and Municipality Funds Program is summarized as follows:

Payments of Tax Apportionments to Counties and Municipalities	$ 35,905,529
Payments of Tax Apportionments to Baltimore City	34,365,201
Maintenance of Highways—County Systems	2,833,007
Construction of Highways—County Systems	2,227,133
Construction of Highways—Urban Systems	2,370,000
Construction of Highways—Interstate System	122,000,000
Total	$199,700,870

(Source: The Maryland State Budget for FY-75. Volume II, January, 1974.)

State-Local Agreements

Many counties have entered into contractual agreements with the State in the area of transportation responsibilities. For example, Montgomery County and the State have entered into an agreement whereby the State reimburses the County for maintaining traffic signals in Montgomery County which are located on state roads. In FY-73, Montgomery County received approximately $30,000 for providing this service to the State. Again, if a local government modernizes a state traffic control device which is located within its jurisdiction, the State will pay part of the cost for this service.

Consult Table V, page 72, for a State Highway Administration Distribution of Special Fund Revenue, By Programs, for FY-75. Consult Table VI, page 73, for a State Highway Administration Summary of Allowances, By Programs, For FY-75.

TABLE V

STATE HIGHWAY ADMINISTRATION

Distribution of Special Fund Revenue, By Programs, For The Fiscal Year Ending June 30, 1975

	Total	State System Construction	State System Maintenance	Enforcement of Motor Vehicle Weight-and-Size Limitations	County and Municipality Funds
Special Funds and Bond Proceeds	$232,236,282	$122,139,518	$ 34,808,180	$ 1,742,714	$ 73,545,870
Federal Aid:					
Primary	4,600,000	4,600,000	.....	.....	.....
Secondary	3,910,000	3,150,000	.....	.....	760,000
Urban	3,920,000	1,750,000	.....	.....	2,170,000
Interstate	145,950,000	23,950,000	.....	.....	122,000,000
Rural	1,750,000	1,750,000	.....	.....	.....
Appalachian	8,800,000	8,800,000	.....	.....	.....
Highway Beautification	600,000	600,000	.....	.....	.....
Topics	1,350,000	1,150,000	.....	.....	200,000
Highway Planning and Research	1,300,000	1,300,000	.....	.....	.....
Federal Access	2,000,000	2,000,000	.....	.....	.....
Bridge Reconstruction	1,125,000	150,000	.....	.....	975,000
Safety	100,000	100,000	.....	.....	.....
Emergency Relief	750,000	700,000	.....	.....	50,000
Total	$408,391,282	$172,139,518	$ 34,808,180	$ 1,742,714	$199,700,870

Under the provisions of Sections 32 (a) and 32 (c) of Article 89B of the Annotated Code of Maryland (1973 Cumulative Supplement the State Highway Administration may allocate from the Transportation Trust Fund to the political subdivisions a sum in lieu o and equal to the amount of Federal Aid Secondary and Urban Program funds.

(Source: The Maryland State Budget for FY-75. Volume II, January, 1974.)

TABLE VI

STATE HIGHWAY ADMINISTRATION

Summary of Allowances, By Programs, For The Fiscal Year Ended June 30, 1975

	Total	State System Construction	State System Maintenance	Enforcement of Motor Vehicle Weight-and-Size Limitations	County and Municipality Funds
State System Construction	$172,139,518	$172,139,518	.....	.....	.....
State System Maintenance:					
Maintenance of Highways and Bridges	27,428,200	.....	$ 27,428,200	.....	.....
Acquisition of Capital Properties	7,279,980	.....	7,279,980	.....	.....
Sign Permit Administration	100,000	.....	100,000	.....	.....
Enforcement of Motor Vehicle Weight-and-Size Limitations	1,742,714	.....	.....	$ 1,742,714	.....
County and Municipality Funds:					
Payments of Tax Apportionments—Counties and Municipalities	35,905,529	.....	.....	.....	35,905,529
Payments of Tax Apportionments—Baltimore City	34,365,201	.....	.....	.....	34,365,201
Maintenance of Highways, County Systems	2,833,007	.....	.....	.....	2,833,007
Construction of Highways, County Systems	2,227,133	.....	.....	.....	2,227,133
Construction of Highways, Urban Systems	2,370,000	.....	.....	.....	2,370,000
Construction of Highways, Interstate System	122,000,000	.....	.....	.....	122,000,000
TOTAL	$408,391,282	$172,139,518	$ 34,808,180	$ 1,742,714	$199,700,870

Application of Construction Funds:

Primary (Including Appalachia)	$50,588,000	
Secondary	66,364,518	
Interstate	11,566,000	
Future Rights-of-Way	5,000,000	
Emergencies	1,000,000	
Critical	7,500,000	
Safety and Spot Improvement	6,000,000	
Rehabilitation and Safety	12,500,000	
Traffic Controls	3,000,000	
Federal Access Highways	1,800,000	
Scenic Enhancement	1,000,000	
Advance Engineering	200,000	
Reimbursable Expenditures	5,621,000	
TOTAL		$172,139,518

Sources of Construction Funds:

Special Funds and Bond Proceeds	$122,139,518
Federal Funds	50,000,000
TOTAL	$172,139,518

(Source: The Maryland State Budget for FY-75. Volume II, January, 1974.)

V. PROBLEMS AND ISSUE AREAS

In the functional area of transportation, as in other functional areas studied, problems and issue areas appear to revolve mainly around financial and administrative questions. In other words, who pays for a particular public service, and who is responsible for the actual implementation of that same service seem once again to be the basic issues. When the financier and implementor of a specific program are one and the same level of government, the problems always appear to be less threatening as far as achieving the desired ends of the program are concerned. The following are brief synopses of some of the major financial and intergovernmental issue areas identified in the functional area of transportation.

Airports

Baltimore-Washington International Airport

As mentioned earlier in this paper, in July, 1972, the State purchased Friendship International Airport from the City of Baltimore, subsequently renaming it Baltimore-Washington International Airport (BWI) in November, 1973. Thus, BWI (or Friendship International Airport) became the operational responsibility of the State, rather than Baltimore City.

The primary reason for the state take-over of BWI was economic. The airport had been losing money for several years, and Baltimore City could no longer afford to make up these operating losses. Thus, the State, which was in a healthier financial position than Baltimore City, agreed to accept the responsibility of operating the airport.

During the past two years, the State Aviation Administration (SAA) has been reorganized and expanded to provide for the administration of the facility. Two improvement programs, long overdue and neglected by the Baltimore City administration of the airport, were initiated at BWI during 1973--one for immediate improvements such as painting, new signs and minor renovations, and improved passenger services, and another long-term program for major expansion and modernization of the terminal building. Slowly Baltimore-Washington International Airport is beginning to stabilize its operating losses. However, according to an SAA official, it will be many years, if ever, before it will be able to effectively compete with nearby Washington National and Dulles International Airports. If BWI is to ever become a competitive force against these other two airports, it must learn how to attract the necessary passenger and cargo traffic, a task that was never done properly in previous years of operation.

General Aviation Airports

An additional problem area related to aviation in the State of Maryland is the topic and responsibility of general aviation airports. General aviation is defined on page 9 of this paper. The number of general aviation airports in the State presently stands at forty-four. Of these, only a dozen are publicly owned (county or municipal) airports. The remainder are public-use, yet privately owned airports.

Under existing legislation neither the federal government nor the State is allowed to fund privately-owned airports. Non-financial airport

assistance such as maintenance, loaning of safety and other types of equipment (e.g. rotating beacons) is allowed if these privately owned airports are public-use facilities. In general, however, these small, privately owned airports, although a necessity to the State in many ways, are not money-making ventures. Thus, if they are to survive in these times of rampant inflation, financial, as well as non-financial aid, may have to become a reality in the future.

Mass Transit Systems

Basically there are three distinct types of mass transportation systems in the State of Maryland as follows:

Baltimore Metropolitan Transit System

Washington Metropolitan Area Transit System

Smaller Urban Area Transit Systems

Each of the above types have both common and unique problem situations with which they must contend.

Baltimore Metropolitan Transit System (BMTS)

The Baltimore Metropolitan Transit System is a state-owned and operated mass transit system administered and operated by the Mass Transit Administration (MTA) of the State Department of Transportation.

When the State of Maryland took over the Baltimore Transit Company in 1970, a change occured from having approximately a half dozen employees under the old Authority to a couple of thousand employees under the State. These employees include administrators, drivers, mechanics, and others,

which are highly unionized. All such employees are considered unclassified, non-merit system types because of their unionization status. This situation often creates problems, according to a Mass Transit Administration official, because unclassified employees attempt to always receive the best and avoid the worst of what each side is offering.

Two distinct budgetary problems emerge within the Mass Transit Administration of the State Department of Transportation: First, State DOT runs on a cash flow rather than an obligated debt budget which can create problems. Second, more flexibility in budgeting is needed, according to an MTA official. Being locked into a pre-set budget two years in advance of its beginning is difficult because it doesn't take into account such factors as abnormal inflation, the energy crisis, and increased ridership of buses. Of course, this latter problem is one which confronts all state agencies; it is not unique to MTA.

Another problem for the upcoming rapid transit system to be built by the State in the Baltimore metropolitan area lies in the planning and approval processes. Because MTA is now a part of the State Department of Transportation, alsmost every project must be approved by the Board of Public Works which meets only once a month. When construction for the rapid transit system begins, the preceding could really be a stumbling block for construction schedules, and could also inundate the Board of Public Works.[1] The procedure which an agency must comply with as part of state government makes it extremely difficult to accomplish projects on a realistic schedule. Yet, questioned an MTA official, how does on state agency win approval to be different from other state agencies, so that projects won't take months, (and waste money) when they could be completed in weeks?

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[1] A Maryland Senate Committee, chaired by Senator Roy N. Staten is working to resolve this problem.

An MTA official said he believes that both Baltimore and Anne Arundel Counties are satisfied with MTA's efforts on their behalf. Baltimore City, however, is another story. Prior to 1970, the State Highway Administration and MTA had very little actual involvement with Baltimore City, as there are no state roads within the city limits. Current Baltimore City-State relationship problems revolve around the amount and type of input Baltimore City should have concerning Mass Transit Administration operations.

Washington Metropolitan Area Transit System (METRO)

A METRO official stated that two primary problems exist in the current construction of the Washington Metropolitan Area Rapid Transit System. The first problem is political, that is, the composition of the Washington Metropolitan Area Transit Authority is too enmeshed in politics. In addition, the turnover rate among the METRO board members is too rapid. This type of a situation leads to delays, and at times the wrong choices, in the decision making-process. An MTA official concurred with the preceding assessment. The Mass Transit Administration official also believes that no such situation is anticipated in the upcoming Baltimore Rapid Rail Project, mainly because this project is all within and controlled by one State instead of eight different political jurisdictions.

The second major problem within the Washington METRO system again revolves around the decision-making process. The METRO official asserted

that each of the eight local jurisdictions involved in METRO, individually, possesses too much decision-making clout--which has at times unnecessarily delayed construction, and thus added to the already high costs of constructing METRO. Also, various groups within each political jurisdiction have fragmented the decision-making process even more and added to the delays and rising costs. In defense of local governments however, it should be noted that basis land use policy resides at the local, not metropolitan or state level, and that the rail system can have a far reaching effect on land use impact.

In addition to the preceding, although the State contributes heavily to Prince George's and Montgomery County's share in the construction of METRO, the two counties complain that the State is not as fully committed to its participation in the METRO system as it is in the Baltimore Metropolitan Area Transit System. For example, the State of Maryland pays 100 percent of the annual operating deficit of the Baltimore Metropolitan Area Transit System. It does not do so for Prince George's and Montgomery Counties share of METRO's annual operating deficit, and officials in the two counties believe that this is not equitable. Of course, it must be recalled that the State owns and operates the Baltimore Metropolitan Area Transit System, while the same is not true concerning METRO.

Smaller Urban Area Transit Systems

The Municipalities of Salisbury and Hagerstown presently have public transportation systems. Also, the Municipalities of Easton and Frederick have recently been conferring with the State Department of Transportation concerning the planning of public transportation facilities. Again, the City of Cumberland has officially applied for a federal-state

grant, so that it can take over and operate the public transporation system which serves the Cumberland metropolitan area.

What the preceding signifies is that a good public transportation system is as much a necessity in a small urban area as it is in a large metropolitan setting, especially for the poor and aged. Yet, the same problems exist in both the small and large scenarios, as far as planning and operating (at a profit) a public transportation system is concerned. Inflationary costs, labor-management problems, and operating the system in an efficient manner while also serving the public who must utilize it, are as much a difficult task in Salisbury and Hagerstown, as they are in the Baltimore or Washington metropolitan areas. In addition, ridership in a smaller urban setting is usually lower and more erratic when compared to the larger urban setting, and thus, it is an even less dependable factor in contributing to the payment of operating costs. It seems, therefore, that federal and state financial aid for operating costs to small urban areas to solve their transportation problems is mandatory, if these smaller cities and towns are to provide this vital service.

Highways and Streets

According to several officials involved in the function of highways and streets, the most important and pressing problem in this area revolves around the construction of highways. In essence, the question here is: what level of government should be responsible for planning, financing, and building highways? At the present time, the situation exists where the State is actually planning for local government, because

in order for a road construction project to be fully funded by the State, it must be included in the State's 20-Year Needs Study. The object of this 20-Year Needs Study is for 60 percent of the critical needs of the State's secondary roads to be identified, and then constructed or modernized. Only when these roads are identified and included in the 20-Year Needs Study, will the projects be totally funded by the State. On the other hand, a local government's 5-Year Road Needs Program is based upon the number of miles in a county and its population, and thus is not fully funded by the State.

Relating closely to the preceding issue area is the lengthy procedure which must be adhered to in order for highway projects to be approved within the State. The following steps are a necessity.

a) Environmental Impact Study -- This is part of a feasibility preliminary engineering study.

b) Corridor Hearing.

c) Design of Project.

d) Public Hearing on the Design of Project--At this point public opposition to the highway can still kill the project.

e) Contract Negotiations.

f) Construction of Project.

The above process from the first hearing to the beginning of construction takes a minimum of five years to complete. Besides adding greatly to the

costs, in some instances the highway project is outdated by the time its construction is finished.

Another issue concerning highways and streets involves the Highway User Revenues Allocation formula. The following is a Dorchester County Roads Department official's comment concerning this formula as it applies to the counties:

> "The 1972-1973 session of the legislature changed the distribution of funds so that the Counties now receive 17 1/2%, City of Baltimore 17 1/2%, and the State the remaining 65%, with a provision that a County shall receive no less than the amounts received in the year preceding July 1, 1968. This provides a very weak protection because in the five year period, inflation has increased operation costs at the rate of probably 5 to 10% per year so that now a County probably has a minimum of 30% less purchasing power. It also should be recognized that gasoline revenue was increasing at the same time at probably 6 or 7% per year so overall, mathematically, the Counties probably are receiving maybe one-half the money that they could have been receiving under the old formula.
>
> A fair summary would be that the Counties income has been frozen or at least a floor placed under it as of July 1, 1968 levels. It has also been in a six year inflation spiral and up until the present energy crisis, increased usage of fuel was changing at an annual rate of 61%."

A number of other county and municipal transportation officials complained that Baltimore City's share was too extravagant, in that it receives 17 1/2 percent of the total, while the remaining twenty-three counties must share another 17 1/2 percent of the total among them.

There was also some discussion and difference of opinion among state and local transportation officials concerning the pros and cons of state-maintained county roads versus counties in which there

are separate state and county highway departments. A number of officials believed that in counties where the State constructed and maintained roads for the county on a contractual basis, a significant amount of duplication of effort and overlapping of responsibilities was avoided. However, several other officials said that in counties where the State did all the construction and maintenance of roads, whenever there is a decision needed as to whether to work on a state or county project, both of which are ready; the state project is always completed first. Thus, the local government, in certain cases, does not always receive priority service.

The majority of secondary roads in the State are privately built. In other words, in most counties the actual local road building (secondary roads) is done by private developers or contractors. Planning secondary, as well as primary roads, however, is the work of the appropriate state and local agencies. In relation to this subject the following assertions were made by a number of local and state transportation officials:

a) Coordination between local planning and zoning, and transportation agencies has not always been as close as it should have been. One result of such poor coordination is the purchase of buildings, as well as land, in right-of-way acquisitions, which naturally makes the cost of a project more expensive.

b) The relationship between the State Highway Administration and transportation agencies in some of the more developed counties has in the past been quite poor.

c) Certain state and county inspections required during construction of highway and street projects are not well coordinated and at times are even duplicative.

The preceding would appear to indicate that a better methodology affecting coordination between state and local transportation and planning agencies must be evolved, if highway and street projects are to be constructed at maximum speed and efficiency and minimum costs.

VI. SUMMARY AND PERSPECTIVE

In the State of Maryland, as in many other parts of the country, the provision of a balanced system of transportation is a primary concern today. If anything, Americans have nowadays increased their desire to be the most mobile society in the world. The result of all this is the constant planning, constructing, operating and maintaining of safe and serviceable transportation facilities of all types to meet the demand of today's population trends. The fact that the United States is becoming a more urbanized society with every passing year, has put a strenuous demand on all levels of government to provide efficient mass transportation systems, as well as facilities for individual travel.

Answers to the following questions (as well as possibly others not included) could aid the State of Maryland and the local governments in the planning and provision of a comprehensive transportation system to serve our citizens well for years to come.

1. What is the proper role of the state and local governments in planning highways, mass transit systems, airports and other transportation facilities throughout the State?

2. What is the proper role of the state and local governments in constructing, operating and maintaining transportation facilities throughout the State?

3. How should transportation facilities throughout the State (including all types) be financed? This includes both capital and operating costs.

4. Is it possible for the planning and approval stage of a transportation project to be streamlined, so that the project is not outmoded before it is constructed and rendered serviceable?

5. Can the preceding question be accomplished without endangering the proper protection of environmental concerns and the societal, economic and property rights of individuals and groups?

6. Should a comprehensive state-wide transportation plan for the State of Maryland be developed, utilizing the participation of all government levels.

APPENDIX

COUNTY AGENCIES RESPONSIBLE FOR MAINTAINING COUNTY HIGHWAYS AND STREETS

COUNTY	DEPARTMENT
Allegany	Allegany County Roads Department
Anne Arundel	Department of Public Works
Baltimore City	Department of Public Works Department of Transit and Traffic
Baltimore County	Department of Public Works Bureau of Highway Operation Department of Traffic Engineering
Calvert	State Maintained County Roads
Caroline	Caroline County Roads Board
Carroll	Carroll County Road Department
Cecil	State Maintained County Roads
Charles	State Maintained County Roads
Dorchester	Dorchester County Roads Department
Frederick	Frederick County Highway Department
Garrett	Garrett County Roads Department
Harford	Department of Public Works
Howard	Department of Public Works
Kent	State Maintained County Roads
Montgomery	Department of Transportation
Prince George's	Department of Public Works and Transportation
Queen Anne's	Queen Anne's County Roads Board
St. Mary's	State Maintained County Roads
Somerset	Somerset County Roads Board
Talbot	State Maintained County Roads
Washington	Washington County Roads Department
Wicomico	Department of Public Works
Worcester	Worcester County Roads Board

APPENDIX H

INFORMATION
ON
PARKS AND RECREATION
AND
COMMUNITY USE OF SCHOOL FACILITIES

SUPPLEMENTAL INFORMATION

ON

PARKS AND RECREATION

JUNE 14, 1973

(FOR DISCUSSION ONLY)

MARYLAND COMMISSION ON THE FUNCTIONS OF GOVERNMENT

EXECUTIVE BUILDING
140 MAIN STREET
ROOM 301
ANNAPOLIS, MARYLAND 21401

Additional information and viewpoints were solicited from state, county, and municipal officials on the following areas involving parks and recreation:

I - What procedures are followed by state and local governments in the acquisition and development of park lands, and is there coordination and cooperation between the various agencies and different levels of government on such projects?

II - What is the philosophical outlook of state and local government in Maryland concerning the roles each should play in the planning, developing, and operation of recreational programs?

I - Park Land Acquisition and Development

Most local government park land acquisition and development in the State of Maryland is now accomplished through the State's Program Open Space. In addition, Maryland has its own program of State Park Development. The following material explains the two programs and presents state, county and municipality viewpoints concerning their operation.

(a) Program Open Space

Under the above program, a certain amount of state funds, as determined by the Staten Formula, is earmarked annually for local government acquisition and development of park land. The first half of this revenue must be used for land acquisition, and a local share is not required. The second half of this revenue can be utilized by the localities for either land acquisition or development, but a local share of 25% is required. For example, if the state (or federal) government supplies 50% of the funds

necessary, the State will provide 25%, and the locality must contribute the remaining 25%.

The State of Maryland takes an active part in aiding local government in following the procedures for acquiring land through Program Open Space. The procedure is as follows: the locality fills out several forms for acquiring a certain tract of land, and that application is forwarded to the State Clearing House. At this time any other agencies or individual parties interested in the transaction can comment on the matter. If no problems arise, the State Clearing House will write a letter to the Director of Program Open Space approving the purchase of land. Finally, with the approval of the Board of Public Works, the transaction takes place.

Each County has a coordinator, within the county government structure, to work along with state officials in acquiring land through Program Open Space. Any such project also requires the signature of the highest elected official in the county concerned.

In general the local governments exhibited unified praise for Program Open Space. While some counties and municipalities have not yet used State Open Space funds for acquisition because of park land being acquired through dedication, most localities have made use of such revenues for development. The general consensus is that, only because of the existence of the State's Program Open Space, has the cutbacks in federal funds for park land acquisition been minimally felt. Where complaints were aired concerning Program Open Space, they fell into two main categories. First, it was felt that the paper work involved was too extensive and complex. Second, the method of state reimbursement

for acquired park lands was too slow and uncertain.

Information received from State Open Space officials indicated that the method of reimbursement has recently been changed for the better. Under the old method the localities had to purchase needed land with their own funds, and were later (sometimes taking as long as six months to a year) reimbursed by the State. Under the new system, as soon as a local jurisdiction has its transaction approved by the Board of Public Works and has the plans for its project in order, a check is issued them by the State to purchase the desired land.

(b) State Park Development

According to state officials, the State of Maryland always goes through local governments in acquiring land for and developing state parks to insure that unnecessary duplication of services will not exist. It was asserted that the planning process within Program Open Space itself renders any duplication improbable. The Seneca State Park - Seneca Regional Park situation was mentioned on most occasions as an example of good, mutual planning. In planning these two parks, state officials, county officials, members of the Maryland National Park and Planning Commission, individual land owners, plus any other parties concerned were invited to participate in the initial planning stages.

In answer to the question as to why state parks are more involved with nature or "natural" type activities for its users (i.e., camping, hiking, boating, etc.) instead of the more competitive type of activities (basketball, golf, tennis, etc.), it was held that the activities developed in any type of park depends mostly upon what the public demands. One view at the state level asserted that as regional or local

parks become more overtaxed in providing such activities as basketball, tennis and golf, the state parks will have to take up the slack.

Most localities also affirmed that the State took their thoughts and suggestions into consideration when acquiring land for the development of a state park. One county maintained, however, that the State recently acquired some land from private owners for a State Wildlife Area without going through the "proper channels." In other words, the county was not informed of these transactions.

It is in the area of development of state parks that the localities voice their strongest criticisms. The majority feeling here is that the State does not provide the proper facilities for the maximum and varied utilization of their state parks. Thus, this presented to the localities the undue burden of providing an exhorbitant amount of recreational facilities, demanded by the public, which severely taxed their means.

Specific complaints were lodged by local government park and recreation agencies concerning (1) School Recreational Facilities Programs in general, and (2) the School-Community Centers Program in particular.

(1) School Recreational Facilities Programs - It is in this area where wasteful duplication of recreational facilities occur, because of the minimum hours of use accorded school recreational facilities. Although particular instances of cooperation between local Boards of Education and Departments of Parks and Recreation do occur so that maximum use of school recreational facilities can be maintained, these examples are few and far between. The common complaint from local recreation departments is that Program Open Space funds, as

well as any others available, must be utilized to duplicate existing school recreational facilities because such facilities are not able to be used after "regular school hours."

(2) School-Community Centers Program - This program was instituted to provide recreation programs in school facilities after the normal school day has ended. The State of Maryland, through the preceding program, allots a fixed amount of funds to the State Board of Education. These funds are divided and alloted quarterly to the twenty-three county Boards of Education and that of Baltimore City. Each locality receives a minimum amount of $20,000, with larger and more populous localities receiving a greater amount. These funds are for the use of the local Departments of Parks and Recreation, but only after they receive approval for a particular program which they desire implemented. The proposed program must be approved by the Superintendent of Schools. If approved, the Coordinator within the Board of Education, in conjunction with parks and recreation personnel, implements the program. Funds to pay for the program are received from the local Parks and Recreation Departments' budget, which is then reimbursed by the County Board of Education.

Although most local Parks and Recreation Departments espouse the end product of the School-Community Centers Program, there are still numerous complaints, especially centering upon methods of funding and application procedures. Most local Parks and Recreation Departments do not understand why the funds for recreational programs are not channeled directly into the parks and recreation budget, and also why parks and recreation must depend upon Board of

Education approval for School-Community Centers Programs. First of all, they insist that the procedures required for getting such programs approved and funded are too complex and time-consuming. Second, some county park and recreation personnel implied that since the Board of Education controls School-Community Centers Program Funds, there is no way of definitely knowing whether the total amount of such funds are actually spent on recreation programs instead of other purposes.

II - State-Local Recreational Responsibilities

A variety of responses were received upon delving into the matter of what particular roles the State and local governments should play in the planning and operation of recreation programs.

The consensus on the local government level was that a recreation program should be operated by the same jurisdiction which the program will serve. In other words, a municipality should operate a city or town recreation program, a county should operate a county-wide program, and a regional body should operate a multi-jurisdictional program. However, most localities felt that the state government could and should help localities both in funding recreation programs whenever necessary, and also in the planning stage of a program. The majority of localities stated that a recreation office or agency within the State Department of Natural Resources would be a welcome addition. Such an agency should employ recreation-educated personnel who could supply localities with research data and the consultive advice that is necessary to plan and implement recreation programs that encompass the needs of the population they serve.

On the state level there was general agreement to the ideas espoused in

the preceding paragraph. However, in certain instances there was disagreement on specifics. For instance, one state official said he was certainly not against providing a research arm and consulting service to localities in the area of recreation. However, it was felt that before a new recreation office was created, existing agencies should be utilized more fully. For example, it was asserted that Program Open Space already provides a definite planning service for local government and might even be utilized more fully in this function. It was also noted that the Maryland Recreation and Parks Society recently established a volunteer service among recreational professionals to aid the localities in research and planning chores whenever necessary. It was felt that this source could be more fully tapped. Finally, it was contended that if any such state agency as a recreation office was established, it would be more appropriately located within the Recreation Department at the University of Maryland rather than within the State Department of Natural Resources.

SUPPLEMENTAL INFORMATION

ON

COMMUNITY USE OF

SCHOOL FACILITIES

SEPTEMBER 25, 1973

(For Discussion Only)

MARYLAND COMMISSION ON THE FUNCTIONS OF GOVERNMENT

EXECUTIVE BUILDING
140 MAIN STREET
ROOM 301
ANNAPOLIS, MARYLAND 21401

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HISTORICAL BACKGROUND

Community use of school facilities in the United States is not exactly new, as the Latin School in Salem, Massachusetts opened its outdoor physical education facilities for recreational use as early as 1821, and New York City opened school buildings as recreation centers in 1888.

The National Education Association (N.E.A.) as long ago as 1911, passed a resolution approving the wider use of schools for social, recreational and civic activities. A number of important presentations given at the 50th annual meeting of the N.E.A. in 1912 had to do with leisure education and the provision of community recreation services.

Through the decades that followed, a number of important policy statements of leading educators and professional organizations have supported this linkage between recreation and education, both in terms of the need for the schools to educate for leisure, and to sponsor or cooperate in the sponsorship of community recreation services. As recently as 1962, at the Second National Conference on School Recreation sponsored by the American Association for Health, Physical Education, and Recreation, the following recommendations were emphasized:

1. Education for leisure is a major responsibility of every school.
2. Every school, from kindergarten through college, has an obligation to provide its students with opportunities for participation in wholesome, creative activities.
3. Every school has a responsibility to make its facilities and resources available for recreation when needed.
4. The school has a responsibility to cooperate with community agencies

which conduct programs of recreation or which are interested in the conduct of such programs.

In addition to the fact that the values of recreation are often the same as those of education, the school has resources which are frequently identical to those that are needed for recreation. These physical resources, both buildings and grounds, are generally properly located for community use as they are planned to be accessible to the school population, and to the entire surrounding community.

Schools should thus be planned to meet both the educational and recreational needs of the community. This means that attention must be given to the location, size, function, and features of the site and its surroundings. Facilities must be designed to obtain adequate space, secure multiple use of the facilities, make supervision efficient, and expedite the flow of traffic within the center. A school which is going to have wide community use must also be planned to take into account problems imposed by the large volume of use. It must serve peak seasonal loads, provide adequate storage and parking space, and be made of durable materials. There is little to be gained by including various kinds of recreation facilities in a school unless the structure is open and available to the community. Community use cannot have a priority claim over school use of school facilities, but there are too many school buildings which have recreation facilities which could and should be available for after-school recreation, but are not.[1]

Until 1970, after-school use of the State of Maryland's educational facilities by the public had been handled on an individual basis by the local jurisdictions. Many counties had formally signed agreements between their

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[1]The source for the preceding information is a 1972 Howard County agreement between the County's Board of Recreation and Parks, and Education concerning school recreation centers.

Board of Education and Department of Recreation and Parks to work together in developing programs for the public's benefit which would utilize the Board of Education facilities after the normal school day; however, some localities did not have such agreements. In such cases, the local Board of Education and the Department of Recreation and Parks worked together informally and sporadically.

Although the system, just described, continues to operate throughout Maryland, a new concept, that of school-community centers and programs, has been officially added to this functional area.

The State of Maryland has encouraged the Boards of Education and Departments of Recreation and Parks (or some equivalent of the latter where such an official county body does not exist) in the twenty-three Counties and Baltimore City to develop cooperative programs and joint use of facilities for the benefit of the general public. With funds provided through the State School - Community Centers Act (SCC), programs have been cooperatively developed by the two departments with demands from the various Counties to have their schools become school - community centers.

RELATIONSHIPS

In two prior reports dealing with the subject of parks and recreation, opinions concerning the planning, operation and funding of the School - Community Centers Program in particular, as well as the use of educational

facilities by the public, in general, were elicited from local departments of parks and recreation. Although the comments received were generally praiseworthy of the preceding program, and of local boards of educations' willingness to allow the public to utilize their facilities after school hours, several complaints concerning such were also aired. Thus, in order to obtain additional information concerning these two topics, the following questions were sent to the twenty-four local superintendents of schools:

1. What is the relationship between the County Board of Education and the County Department of Parks and Recreation? Is there cooperation? Elaborate.
2. What is the total amount of annual revenue your county has received during each of the last five fiscal years for the School - Community Centers Program?
3. What is the procedure for the distribution of School - Community Centers Program funds from the state level to the program implementation level?
4. What is the feeling of the County Board of Education and the County Department of Parks and Recreation towards the operation of the above method?
5. What is the county policy toward utilization of school recreation facilities after normal school hours? Elaborate. If there are none, do you feel such provisions should be in existence? Why?
6. Does any relationship exist between vandalism and the vacancy of school facilities? (Example: On the weekends vs. school days) If so, what do you feel can be done to correct this?

With the exception of Washington County, responses to the preceding questions were received from all the local jurisdictions queried. A summary of these responses will now follow:

County	Question #1 Education/Parks-Recreation Relationship Status	Question #2 SCC Program Revenue	Question #3 SCC Program Revenue Distribution Procedure	Question #4 Comments on Distribution Procedure Method	Question #5 Existence of Formal Policy for Public Use of School Facilities	Question #6 Comments on Relationship of Vandalism and Non-Occupancy of School Facilities
ALLEGANY	No County Parks and Recreation Dept. Bd. of Education has good working relationship with City Parks and Recreation Depts. in Cumberland, Frostburg and Lonaconing	FY-74 - $ 20,000 FY-73 - 20,000 FY-72 - 14,732 FY-71 - 10,350	Did not answer explicitly.	Satisfactory	Has broad policy guidelines	No identifiable relationship exists.
ANNE ARUNDEL	The two departments have a "wholesome and productive working relationship."	FY-74 - $ 76,454 FY-73 - 63,800 FY-72 - 63,800 FY-71 - 43,988	Did not answer explicitly.	Procedure is "very equitable."	Has specific policy guidelines.	Positive relationship.
BALTIMORE	Very satisfactory. Many cooperative efforts and joint projects (including design of school-recreation facilities) occur between the two departments.	FY-74 - $130,635 FY-73 - 113,025 FY-72 - 80,213	(1) Allocation to County Bd. of Education. (2) Conference between Bd. of Education and Recreation and Parks. (3) Division of funds FY-74 - $10,000 to Bd. of Education and $120,635 to Recreation and Parks.	Satisfactory except for "mountains of paperwork and endless statistics."	Has broad policy guidelines.	Positive relationship.
CALVERT	Relationship is a "meaningful and positive one." Bd. of Education has a liaison representative on the Bd. of Parks and Recreation.	FY-73 - $ 20,000 FY-72 - 32,000 FY-71 - 5,000	(1) State Dept. of Education to County Bd. of Education after proper requests are made. (2) To Treasurer of Calvert County for placement in revenue section of Parks and Recreation budget. (3) Parks and Recreation disburses funds.	Believe funds should go from State Dept. of Education directly to Parks and Recreation on the county level.	Has specific policy guidelines.	Positive relationship.

County	Question #1 Education/Parks-Recreation Relationship Status	Question #2 SCC Program Revenue	Question #3 SCC Program Revenue Distribution Procedure	Question #4 Comments on Distribution Procedure Method	Question #5 Existence of Formal Policy for Public Use of School Facilities	Question #6 Comments on Relationship of Vandalism and Non-Occupancy of School Facilities
CAROLINE	The two offices enjoy "excellent cooperation" and work very well together. Caroline County has no Parks and Recreation Dept., thus the Youth Commission serves as this Agency.	FY-74 - $20,000 FY-73 - 15,905 FY-72 - 7,251 FY-71 - 4,703	All funds are received and disbursed by the Board of Education Finance Department.	Favorable	Has broad policy guidelines	No noticeable relationship exists.
CARROLL	A "good, working relationship" exists between the two agencies.	FY-73 - $18,335 FY-72 - 1,829	(1) To County Board of Education from State Department of Education. (2) To various Recreation Councils.	Very satisfactory to both parties	Has specific policy guidelines.	Did not answer this question.
CECIL	No Parks and Recreation Dept. exists in Cecil County. Thus Board of Education works with County Planning Commission and other recreational groups for developing SCC Programs.	FY-74 - $20,000 FY-73 - 20,000 FY-72 - 10,414 FY-71 - 3,277	Board of Education is "solely responsible for receipt and disbursement of funds at the local level."	County Planning Commission agrees with present fund disbursal system in existence.	Utilizes Sections 97 and 98 of Article 77 of the Public School Laws of Maryland as its policy.	Positive Relationship

County	Question #1 Education/Parks-Recreation Relationship Status	Question #2 SCC Program Revenue	Question #3 SCC Program Revenue Distribution Procedure	Question #4 Comments on Distribution Procedure Method	Question #5 Existence of Formal Policy for Public Use of School Facilities	Question #6 Comments on Relationship of Vandalism and Non-Occupancy of School Facilities
CHARLES	Relationship between two departments is "very good."	FY-74 - $20,000 FY-73 - 35,442 FY-72 - 73,639 FY-71 - 65,999	Answer was see State Guidelines	Parks and Recreation is concerned that they do not have a representative at the state level.	Has specific policy guidelines.	Did not supply a definite answer.
DORCHESTER	An excellent relationship exists between the two agencies.	Have received approximately $7500 annually since inception of SCC Program.	(1) Board of Education is responsible for the accounting and care of funds. (2) Dept. of Parks and Recreation is principally responsible for the design and implementation of SCC Program.	Feels that the procedure operates effectively in providing services for the Community.	Has a broad, open policy, but did not mention or include any formal policy document.	Uncertain

County	Question #1 Education/Parks-Recreation Relationship Status	Question #2 SCC Program Revenue	Question #3 SCC Program Revenue Distribution Procedure	Question #4 Comments on Distribution Procedure Method	Question #5 Existence of Formal Policy for Public Use of School Facilities	Question #6 Comments on Relationship of Vandalism and Non-Occupancy of School Facilities.
FREDERICK	Frederick County only has a Park Commission with no recreational responsibilities. Board of Education has good cooperation with Recreation Commissions of Frederick City and other cities.	FY-74 - $21,274 FY-73 - 20,000 FY-72 - 16,994 FY-71 - 38,852	Joint projects are prepared by Board of Education and recreational groups. If State Dept. of Education approves, money is sent to local Board of Education and disbursed to the approved programs. Some programs are run by local recreational agency and some by Board of Education.	On the whole it seems to be reasonably workable system and involves a minimum of red tape.	Has broad policy guidelines.	Positive Relationship
GARRETT	The Department of Parks and Recreation in Garrett County is new and has not yet begun to function. Thinks cooperation will be fine between two agencies when Parks and Recreation begins functioning.	FY-74 - $20,000	Controlled and distributed by Garrett County Board of Education.	No information provided for this question.	No information on whether a formal policy exists, however, states that recreational facilities are available for community use.	Did not answer this question.
HOWARD	The relationship between the two departments is "one of mutual interest in the needs of the citizens of the county in relation to the wise use of leisure time, and the fuller use of existing (and planned) school facilities for this purpose."	FY-74 - $20,212 FY-73 - 20,000 FY-72 - 19,969 FY-71 - 9,315	Funds flow from the State Board of Education to the County Dept. of Recreation and Parks (as reimbursement for expenditures already made by this Department).	The reimbursement method has worked well "due to the willingness of county fiscal authorities to provide funds for recreation in advance of receipt of State funds."	Has formal agreement between the two depts. plus a half-time school center liaison staff member designated for this operation.	Answered the question indirectly, but seemed to feel there is a positive-relationship.

County	Question #1 Education/Parks-Recreation Relationship Status	Question #2 SCC Program Revenue	Question #3 SCC Program Revenue Distribution Procedure	Question #4 Comments on Distribution Procedure Method	Question #5 Existence of Formal Policy for Public Use of School Facilities	Question #6 Comments on Relationship of Vandalism and Non-Occupancy of School Facilities
KENT	Good relationship between the two depts. One member of the Board of Education serves also as a member of the County Board of Parks and Recreation.	Kent County has always received the minimum allowable ranging from a low of $5,000/yr. to a high of $20,000/yr.	The County Commissioners "receive the funding and reimburse the school for the expenses incurred in the operation of the program."	County thinks that while budgets are developed jointly by the two boards and the disbursements are made by the Board of Education, the funds should come directly to the Board of Education. Presently, funds are received first by the County Commissioners.	Has specific policy guidelines.	No answer to question, however, feel that much vandalism that has occurred has been "directly related to the people participating in the Parks and Recreation Programs"
MONTGOMERY	Have close working relationship with the Park's Dept. of Md. - National Capital Park and Planning Commission and the County Recreation Dept. Also, a staff member of the Board of Education serves as exofficio member of the County Recreation Board and members of the Recreation Dept. serve as School Advisory Planning Committee members.	FY-74 - $124,993 FY-73 - 103,942 Fy-72 - 103,942 FY-71 - 76,073	The County receives its allocation in quarterly allocations from the State upon approval of program projects. Accounting division of the county public schools then distributes quarterly shares to County Dept. of Recreation and the cities of Rockville and Gaithersburg Recreation Depts.	This method of distribution has been well received.	Has broad policy guidelines.	Positive Relationship.

County	Question #1 Education/Parks-Recreation Relationship Status	Question #2 SCC Program Revenue	Question #3 SCC Program Revenue Distribution Procedure	Question #4 Comments on Distribution Procedure Method	Question #5 Existence of Formal Policy for Public Use of School Facilities	Question #6 Comments on Relationship of Vandalism and Non-Occupancy of School Facilities
PRINCE GEORGE'S	No direct answer to this question. (In fiscal 1974, about 17% of the SCC Program funds will be used for Board of Education developed programs, and the remainder will finance programs developed by the County Dept. of Parks and Recreation.	FY-74 - $160,000 (projected) FY-73 - 139,175 FY-72 - 120,000	The County Board of Education secures SCC Program funds from the State, and then, makes payments to the Department of Parks and Recreation for expenses incurred. (Note: The above Dept. of Parks & Recreation is a division located within the Md. National Capital Park & Planning Commission.)	Did not answer this question.	Did not answer this question.	Did not answer this question.
QUEEN ANNE'S	The relationship between the two departments has been excellent since the inception of the Parks and Recreation Board, and, in fact, "a member of the central office staff is a member of the Park Advisory Board."	Figure of $27,500 reported - no indication if this is a total figure or for a particular year or years.	Funds are allocated from the State to the County Board of Education, and then are turned over to be used towards the expenses of various recreational programs.	Did not answer this question.	Both departments cooperate in this area, but did not mention or include any formal policy document.	Positive Relationship.
SAINT MARY'S	Both departments enjoy a very good working relationship.	Total of $42,382 reported for last three fiscal yrs.	Funds flow from the State to the local Bd. of Education, who upon receipt of bills from Parks & Rec., transfers the funds to the County Commissioner's office for payment of bills.	St. Mary's Board of Education feels that less complications would arise if the funds were sent directly by them to Parks & Rec. for payment of bills.	Has broad policy guidelines.	Positive Relationship.

County	Question #1 Education/Parks-Recreation Relationship Status	Question #2 SCC Program Revenue	Question #3 SCC Program Revenue Distribution Procedure	Question #4 Comments on Distribution Procedure Method	Question #5 Existence of Formal Policy for Public Use of School Facilities	Question #6 Comments of Relationship of Vandalism and Non-Occupancy of School Facilities
SOMERSET	Cooperation does exist between the Dept. of Recreation and the Board of Education. There are several Joint Use agreements that have proven beneficial.	Somerset County reported that the SCC Program is not operative in this County. (Note: This information is in conflict with State received data.)	Did not answer this question.	Did not answer this question.	Reported that the Board of Education encourages public use of its facilities after normal school hours for recreation and civic use. Joint Use agreements do exist.	Did not answer this question.
TALBOT	The relationship between the Board of Education and County Department of Parks and Recreation is rated as "excellent."	Reported $27,500 for 2 years, but didn't specify which two years.	Funds are allocated to the County Board of Education. Programs are written and implemented at this level with the approval of the County Dept. of Parks and Recreation.	The procedure works well because the County Department of Parks and Recreation is the County Commissioners.	Schools are open for public use. Did not refer to any formal policy agreement.	Did not answer this question.

County	Question #1 Education/Parks-Recreation Relationship Status	Question #2 SCC Program Revenue	Question #3 SCC Program Revenue Distribution Procedure	Question #4 Comments on Distribution Procedure Method	Question #5 Existence of Formal Policy for Public Use of School Facilities	Question #6 Comments on Relationship of Vandalism and Non-Occupancy of School Facilities
WICOMICO	Report states that the relationship between the two departments has always been "on a high level," and are not sure how it could be any better.	FY 73 $20,000 FY 72 14,707 FY 71 15,222	The County Board of Education and Recreation Dept. coordinators come to a "mutual understanding" on the allocation of the funds according to projects planned.	The method of allocation is satisfactory.	School buildings and grounds are available for Recreation Dept. use whenever they are not being used for educational activities. Did not mention any formal policy agreement.	Did not supply a definite answer to this question.
WORCESTER	The two departments have "an excellent relationship as evidenced by the joint effort to implement the SCC Program in an exemplary manner."	FY 73 $ 7,992 FY 72 12,091 FY 71 3,074	The approved funds pass from the State's School-Community Center Program to the County Board of Education, and finally to the County Dept. of Parks and Recreation for disbursement.	The County Board of Education approves of the method utilized.	Has broad policy guidelines.	No noticeable relationship exists.
HARFORD (Note: This County is out of the alphabetical scheme because its reply was received after the charts were completed.)	The relationship is rated "excellent." The Bd. of Education has established comprehensive policies which permit extensive use of school facilities by the Dept. of Parks and Recreation.	FY 74 $32,093 FY 73 26,295 FY 72 22,614 FY 71 18,000	Funds flow to the County from the State Bd. of Educstion after approval of projects. The County is advanced 75% of the total funds allowed in the project with the remaining 25% being received when the final report of expenditures is submitted. In this County the funds are dispursed through regular Bd. of Education accounts.	The method is considered "favorable" by both agencies.	The policy can be best regarded as "joint use." Did not mention any formal policy agreement.	"Probably" a positive relationship, although vandalism also occurs if "adequate, trained, and conscientious supervision" is not available during building usage.

County	Question #1 Education/Parks-Recreation Relationship Status	Question #2 SCC Program Revenue	Question #3 SCC Program Revenue Distribution Procedure	Question #4 Comments on Distribution Procedure Method	Question #5 Existence of Formal Policy for Public Use of School Facilities	Question #6 Comments on Relationship of Vandalism and Non-Occupancy of School Facilities
BALTIMORE CITY	A common use of facilities, sharing of equipment and joint writing of proposals exists. The newer public schools have recreational wings built on as part of the educational complex.	FY-74 $188,000 FY-73 168,000 FY-72 178,000 FY-71 183,000	Jointly written proposals are submitted to a review committee selected by the Assistant State Superintendent for Instruction. Local Superintendent of Public Schools and Superintendent of Recreation and Parks assign the task of developing a program, securing personnel and controlling the budget to a staff person of their choice. 33 1/3% of funds go to Baltimore City Public School for the Office of Adult and Continuing Education. 66 2/3% of the funds go to the Bureau of Recreation and Parks for Special Projects.	The Baltimore City Community is responsive to the SCC Program because it is flexible enough to be changed when modification is necessary.	Very liberal policy based upon (1) shared usage of available space, (2) blanket permits with priorities to Parks and Recreation. (3) Recreational facilities constructed as part of school complex in new facilities. Did not mention a formal policy document.	Positive Relationship

SCC PROGRAM AT THE STATE LEVEL

In speaking with administrators of the School - Community Centers Program at the state level, the following information was received:

The primary concept of the School - Community Centers Program is one of community educational recreational activities. This concept is much broader than that of simply expending available funds for strictly recreational programs, a narrower view to which many local departments of parks and recreation adhere. It was admitted, however, that a few local Boards of Education exist which would prefer nothing better than simply turning all SCC Program funds directly over to their county parks and recreation department. This would relieve them of any responsibility in the SCC Program's operation. Presently, the State intends to hire a full-time person to coordinate the SCC Program at the state level in an attempt to relieve some of these problem areas.

The state administrators are also currently planning on broadening the clientele base of SCC programs. Greater emphasis will be placed upon implementing educational-recreational programs for adults and pre-school children. Such programs should benefit both adults and pre-schoolers. For example, the illiteracy rate among adults might be more effectively combated if these same adults had a place to leave their children.

Administrative costs are another relevant issue related to SCC programs. For the first three years, the state level SCC Program office did not budget any money for administrative costs. It now is necessary, however, to budget 2% of such expenses. On the local level, all SCC Program funds are earmarked for programs. Thus, any funds which are utilized for administrative costs at this level must be accounted for very strictly.

The State believes that by 1980 (based upon what now exists, plus the same percentage increase year to year), all the school - community centers in

the State of Maryland can be operated at full participation level for $3,000,000.

THE STATE'S UNIVERSITY AND COLLEGES

No uniform policy exists which governs the use of the State of Maryland's university and college facilities by the general public. In general, each campus of the University of Maryland, as well as each of the six state colleges, develops its own guidelines and regulations concerning facility use.

With the exception of the College Park Campus of the University of Maryland, the other campuses and state colleges allow non-school related community groups and the general public to utilize both inside and outside facilities for educational, recreational, and cultural events. Some of these schools even actively encourage the use of their facilities by outside groups. For example, Frostburg State College promotes the use of its facilities by the community, especially during semester breaks and other prolonged vacations. It is asserted that regular use of such facilities decreases overhead costs and incidents of vandalism.

In general, the following priorities are in effect for groups desiring the use of the facilities within the scope of responsibility of the states' institutions of higher learning:

First Priority - to university or college groups desiring the facilities for education-related functions.

Second Priority - to university and college groups desiring the facilities for recreational, social, or other such purposes.

Third Priority - to the general public and community groups desiring the facilities for approved educational, recreational, social, and other such activities.

Basically, as the states' university and colleges are public institutions, activities within their jurisdiction must be consistent with the state and local laws which affect the larger community. Fees for the use of facilities depend upon the group involved, size of the facility, services requested, length of use, and the event to be conducted. Repairs for all damages which occur during use of a facility must be paid for by the group responsible.

One exception to the preceding general rule is the College Park Campus of the University of Maryland. In March, 1971, an Adjunct Committee on Facilities Use issued a policy statement governing the use of campus facilities for campus organizations. Although this statement mentioned that other (non-campus affiliated) organizations might also utilize these facilities, as far as such was practical, such use by non-campus organizations in fact does not exist. That is, by and large, the campus is closed to non-university related activities. For example, when a group of high school tennis coaches recently requested the use of the College Park tennis courts to stage a high school tennis tournament, they were turned down because they were not university affiliated.

Essentially, the College Park Campus policy that governs the use of facilities is aimed primarily at (1) education-related functions of the university, and (2) in-house activities of recognized campus organizations.

SUMMARY

In retrospect, it appears that certain points can be raised concerning the preceding information.

Are the guidelines for the School - Community Centers Program clear to all, or are they too broad? From the replies received, there seem to be many and varied interpretations on how the SCC Program should operate. This occurs most frequently in the areas of planning and operationalizing projects and in the disbursing of project funds. Perhaps the state's plan to hire a full-time person to coordinate the SCC Program is a step in the right direction to help make interpretations of SCC Program guidelines more uniform.

All the replies expressed cooperation between county educational and recreational agencies concerning the joint-use of educational facilities. The specific data, however, indicated that this cooperation, when measuring individual counties, would fall from one end of a spectrum to the other, on a scale illustrating the amount and quality of cooperation. For example, some counties included along with their responses lengthy and very specific policy guidelines concerning joint use of educational facilities. Others did not, and some did not even mention whether such a document exists in their individual jurisdiction.

Finally, an overriding issue in this subject area is that since public elementary, secondary, and advanced education schools in Maryland are supported by the public's tax dollars, should not the most comprehensive use of these facilities be a main goal of educational institution administrators, as well as others?

APPENDIX I

INFORMATIONAL REPORT
ON
AGRICULTURE

INFORMATIONAL REPORT

ON

AGRICULTURE

SEPTEMBER 18, 1974

(For Discussion Only)

MARYLAND COMMISSION ON THE FUNCTIONS OF GOVERNMENT

EXECUTIVE BUILDING
140 MAIN STREET
ROOM 104

ANNAPOLIS, MARYLAND 21401

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INTRODUCTION

Governmental activities with regard to agriculture, at least at the federal level, are long standing and well documented. Many states have organized and utilized a principle department within the government to deal with the production and processing of food products, plants, feed, and other items. According to a report by Maryland agricultural officials:

> Maryland's agricultural complex represents a total combined investment of $6 billion and generates about $2.85 billion income annually, or approximately 14.2 percent of the Gross State Product. It comprises over 32,000 business enterprises employing nearly 190,000 persons, or 14 percent of the state's work force.

Prior to 1973, activities relating to agriculture were performed by the now defunct State Board of Agriculture which was the Board of Regents of the University of Maryland. A number of state boards and commissions, that were basically independent in their operations, also had responsibilities for a single program or activity that was directly related to the agricultural function. As a result of the recommendation of a ten member task force, established to evaluate the position of agriculture in the State, legislation was passed to establish the Maryland Department of Agriculture to bring together those agencies in the State that were associated, in some way, with agriculture and its promotion.

MARYLAND DEPARTMENT OF AGRICULTURE

The Maryland Department of Agriculture was created by Chapter 342, Laws of Maryland, 1972, and incorporated into Article 41, Section 430 to 437, of the Annotated Code of Maryland, making it the twelfth principle department in the executive branch of the state government. The department is headed by a Secretary who is appointed by the Governor with the advice and consent of the Senate.

Administratively, the Secretary is responsible for establishing policy and procedures to promote orderly and efficient operations. In addition, the Secretary is responsible for the budget of his office and for the boards, departments, commissions, offices and agencies located within the department; is authorized to create advisory boards which are considered appropriate; and is responsible for the coordination and direction of all planning facilities initiated by his office. Also, the Secretary is able to exercise or perform any power, duty, or responsibility or function which any of the offices or agencies within the department are authorized to exercise or perform, except those powers which are vested, by law, in the Board of Review of the department and the Maryland Agricultural Commission.

As a result of the reorganization bill of 1972, a number of offices and boards were abolished and their programs transferred to the newly created Department of Agriculture. Offices and boards that were abolished include:

1. State Board of Agriculture.
2. State Horticultural Department.

3. Tree and fruit inspectors provided in Article 48, Section 95 of the Code.
4. Department of Drainage.
5. State Drainage Engineer.
6. Maryland State Department of Markets.

The following offices, boards, commissions, departments and agencies are included within the Department of Agriculture:

1. Inspector of Tobacco.
2. Tobacco Authority of the State of Maryland.
3. Maryland State Fair Board.
4. Maryland State Apple Commission.
5. State Superintendent of Weights and Measures.
6. State Chemist.
7. State Veterinarian.
8. State Board of Veterinary Medical Examiners.
9. Wholseome Meat Advisory Council of Maryland.
10. State Soil Conservation Committee.
11. Board of Review of the Department of Agriculture.
12. Maryland Agricultural Commission.

Organizationally, the Department of Agriculture is divided into four major operating divisions that include:

1. Division of Inspection and Regulation.
2. Division of Marketing.
3. Division of Plant Industries.
4. Division of Animal Industries.

Each division is made up of two or more operating sections that have specific programs and activities to carry out (see Chart 1, page 5). Following is a brief description of each division.

Division of Inspection and Regulation

The Division is organized into three major sections. These sections are Weights and Measures, State Chemist, and Field Inspection.

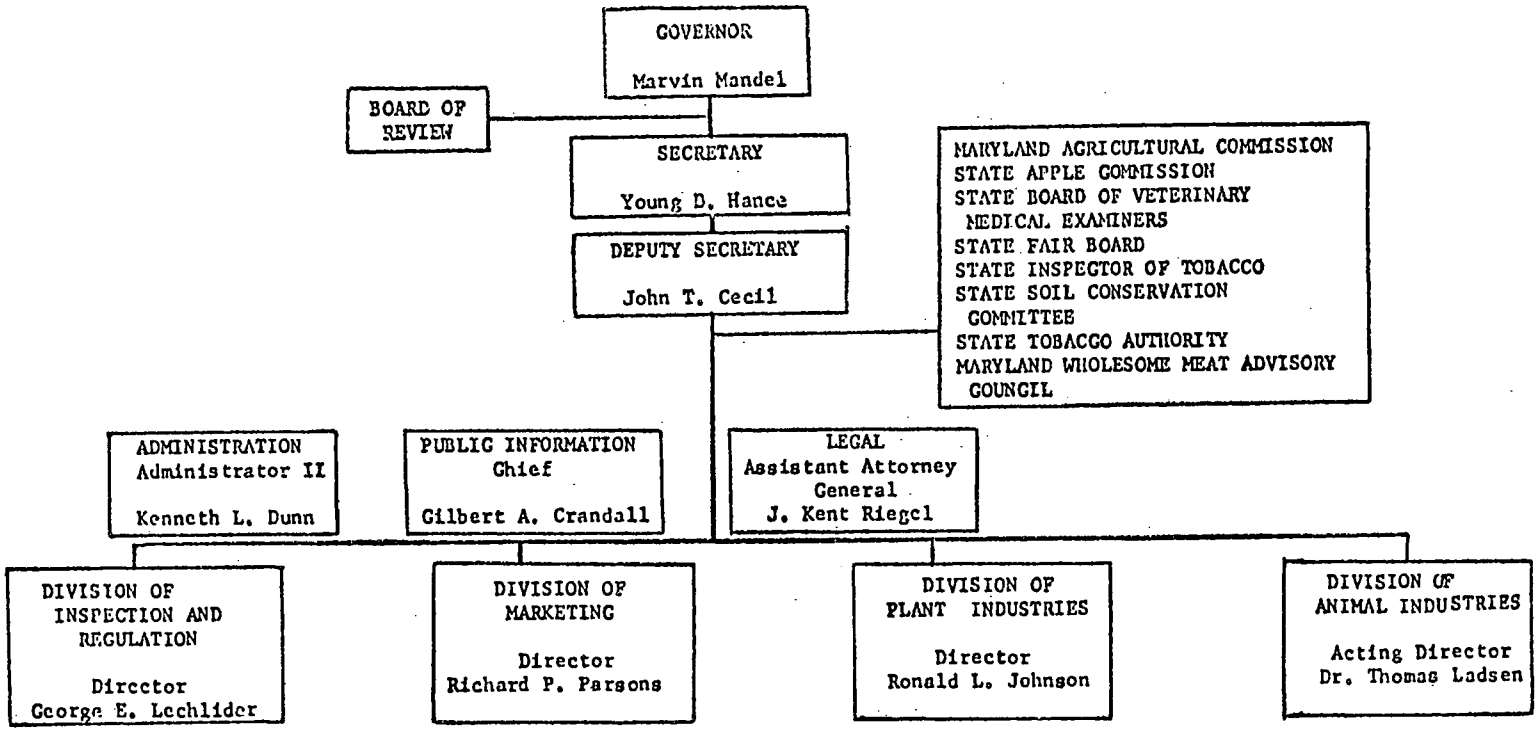
The Weights and Measures section is responsible for the inspection of all scales, ranging from scales used for livestock to those used in the neighborhood supermarkets. Inspection also extends to all packages found in stores with regard to their size, weight, and date.

A recent departmental study indicated that a new program will be initiated that will test and inspect liquid petroleum gas metering devices. It is anticipated that the additional testing and inspection of these devices will result in more accurate meters.

The package inspection program has a great impact upon the citizens of the State. Additional work is needed with regard to the dairy inspection as it relates to the testing and surveillance of milk fat samples. However, as with many other programs, acquiring additional personnel to handle this increasing work load is generally seen as a major obstacle to a full inspection program.

The State Chemist is charged with the implementation of Maryland commercial fertilizer, commercial feed, pesticide, and agricultural liming material laws. Efforts to improve the present system include recommendations for legislation to require registration of custom mix manufacturing facilities not provided for in the current commercial feed law and to allow

MARYLAND DEPARTMENT OF AGRICULTURE
ORGANIZATIONAL CHART
December 1, 1973



1. Weights and Measures Section
   a. Weights and Measures Law
   b. Dairy Inspection
2. State Chemist Section
   a. Maryland Commercial Fertilizer Law
   b. Maryland Commercial Feed Law
   c. Maryland Pecticide Registration and Labeling Law
   d. Lime and Gypsum Registration
   e. Pesticide Residue Laboratory
   f. Diagnostic Tests for Plants and Animals
3. Field Inspection Section
   a. Inspection of feed, seed, fertilizers, pesticides, and liming materials
   b. Maryland Egg Law
   c. Maryland Turf Grass Law
   d. Federal Egg Law

1. Market Development and Promotion Section
   a. Market News and Reports
   b. Market Promotion
   c. Market Development
2. Grading Services Section
   a. Grading Services
   b. Maryland Apple Grade Law
   c. Certification of Farm Products
   d. Standards for fruits and vegetables

1. Pest Management Section
   a. Mosquito Control
   b. Plant Quarantine
   c. Nursery Inspection
   d. Apiary Inspection
   e. Gypsy Moth Control
   f. Pesticide Applicators Law
2. Turf and Seed Section
   a. Maryland Turf Grass Law
   b. Turf Regulation, inspection and certification
   c. Seed regulation, testing and certification
3. Weed Control Section
   a. Control of noxious weeds
   b. Johnsongrass control
4. Environmental and Rural Affairs
   a. Agricultural Pollution Control
   b. Rural Development
   c. Rural Recreation

1. Animal Health Section
   a. Regulation of infectious & contagious diseases
   b. Diagnostic Labs
2. Meat and Poultry Inspection Section
   a. Maryland Wholesome Meat Act
   b. Maryland Poultry Products Inspection Act

Chart 1
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departmental personnel to enter establishments selling any pesticide products required to be registered under state law in order to determine whether the law is being followed.

As present, the State Chemist has a staff of seventeen who, along with the State Chemist, do all the analytical work for the agencies in the Department of Agriculture. Facilities are said to be reaching the point where they will not be adequate to handle the work load.

In 1972, inspectors from three different divisions were organized into a single section for better utilization of personnel. The work of the Field Inspection Section deals with the sampling and labeling of items affected by the seed law, soil conditioner law, state egg law, pesticide law, fertilizer law, lime law, federal egg law, and federal medicated feed mill law.

Individual inspectors are really all-purpose inspectors who are responsible for a specific territory. These inspectors inspect all feed mills for quality of product and registration; take samples of fertilizers and send to a laboratory to determine if they meet standards of the label; collect seed samples which are tested for germination, purity, and sale dates; sample pesticides; and inspect eggs in stores for cracks, leaks, and blood spots.

Division of Marketing

The Division of Marketing is responsible for the promotion of agricultural products including identification of the official quality,

grade, and condition of poultry, dairy products, fruits, vegetables, and grains, and the Maryland apple grade law. This Division provides programs and services designed to serve all segments of the economy involved with the market system from the producer to consumer. Programs include: market development and expansion, federal-state market improvement projects, inspection and grading of agricultural commodities, market news and statistical reporting service in conjunction with U. S. Department of Agriculture, and an active consumer marketing information program. A major activity of the marketing division relates to the development of domestic and foreign trade. Individual commodity groups are assisted in developing effective marketing programs here and abroad. This involves participation in trade shows, trade fairs, and trade surveys.

Division of Plant Industries

The Division of Plant Industries carries out programs designed to protect citizens, their property, crops, plants and stored products from damage by insects and plant diseases; to inspect and test the accuracy in labeling claims for seeds and turf; and to prevent undesirable and noxious weeds from contaminating land in the State. In order to carry out these activities, the Division is divided into three major sections including Pest Management, Turf and Seed, and Weed Control. Provision has been made for an Environmental and Rural Affairs Section, but this unit has not as yet been activated.

State and county matching funds for the noxious weed control program have grown steadily since its inception in FY-71. In 1973, ten of

the thirteen counties participating in the state/county matching funds program acquired spray equipment. The primary concern of the program is the elimination of weeds such as Johnsongrass.

The success or failure of the program to eliminate Johnsongrass depends heavily upon the County Supervisor. Individuals in this position are usually employed by the participating county on a part-time basis. In this situation, the personal commitment to other duties can often times take precedent over the weed control program and affect the progress of that program.

In addition to the Johnsongrass program, the Division of Plant Industries is also involved with the Mosquito Control and Gypsy Moth Programs. Approximately 1,200 communities are involved in the Mosquito Control Program. At the same time, the Division also works with local governments to develop specifications for sod.

Division of Animal Industries

The Division of Animal Industries is divided into two operating sections. The Animal Health Section is responsible for the regulation of infectious and contagious diseases of animals, livestock sales, and importation of cattle and swine. The Meat and Poultry Inspection Section regulates slaughter of livestock and poultry products under the Maryland Wholesome Meat Act and the Maryland Poultry Inspection Act. Objective of this section is to assure Maryland consumers of a wholesome supply of meat and poultry.

In addition to programs dealing with meat and poultry inspection and animal health, the Division is involved with laboratory operations in College Park, Centreville, Frederick, Oakland, and Salisbury. The

The laboratory at College Park receives all of its funds from the State. Frederick County provides the land and the building that houses the laboratory while the State provides funds to cover all of the operating costs. The laboratories located in Salisbury and Centreville are fully stated funded. The Oakland laboratory facility is furnished by Garrett County.

Some counties contribute funds to the Division of Animal Industries to help finance programs carried out through the Division in those particular jurisdictions. In FY-73, counties which contributed funds to the Division are as follows:

County	Amount
Baltimore	$3,330
Cecil	$ 720
Garrett	$1,000
Queen Anne's	$1,000
Somerset	$1,000
Wicomico	$1,000
Worcester	$1,000

Counties that contributed funds in FY-73 to the Division of Animal Industries but are no longer doing so include:

Dorchester	$1,000
Prince George's	$3,600
Montgomery	$3,200

State Soil Conservation Committee

Composed of nine members, the State Soil Conservation Committee is responsible for giving guidance and assistance to districts. Basically, the Committee coordinates the work of the state's twenty-four soil conservation districts and provides program financing. In addition, the Committee helps the districts secure the assistance of agencies at both the state and federal levels. The Committee's objective is to assist and coordinate the district programs which assist land users to conserve soil, water, and related natural resources Basically, the Committee works with any and all agencies whose activities impact on the district operations.

The twenty-four local soil conservation districts are organized on the basis of each district encompassing a single county except in Frederick where the county is divided into two separate districts. Each district is managed by a five member Board of Supervisors. Each Board is responsible for carrying out a program of conservation of soil, water, and related natural resources within the district.

Most technical assistance available to the individual districts is furnished by the U. S. Department of Agriculture Soil Conservation Service (SCS). SCS expended $3,373,000 of federal monies in Maryland during FY-74 on various conservation oriented activities. State funds expended by the State Soil Conservation Committee for the support of the twenty-four SCS districts for the same period amounted to $378,000. The districts also secured approximately $200,000 from county governments to assist in operating the districts.

Other Agencies Located Within the Department of Agriculture

The following boards and commissions fall within the purview of the Department and require internal coordination:

Maryland Agricultural Commission - is a seventeen member body established by the General Assembly to represent all sectors of agriculture in the State. The Commission serves as an advisory board to the Secretary of Agriculture and promotes the advancement of agriculture and agribusiness in Maryland.

State Fair Board - is a nine member body which fosters agriculture through the promotion of fairs and exhibits, including the Maryland State Fair at Timonium, thirty-four county fairs and shows, seventeen cattle shows, and a variety of other related activities.

Maryland State Tobacco Authority - is an eight member body that promotes the use of Maryland grown tobacco. The Authority provides information to growers on markets and prices, and regulates these markets through rules and regulations for the handling and marketing of the crop. The Tobacco Authority also sets the dates for marketing periods.

Maryland State Tobacco Warehouse - administered by the Tobacco Inspector, is maintained to provide safe storage facilities for tobacco crops. Tobacco stored in the state warehouse is inspected, weighed, sampled, and graded by the Inspector.

Maryland Wholesome Meat Advisory Council - is an eleven member body that advises the Secretary on the subject of meat and poultry inspection activities.

Additionally, there are several other boards and commissions under the jurisdiction of the Maryland Department of Agriculture. They include the Wholesome Poultry Advisory Committee, Pesticide Advisory Board, Weed Advisory Committee, State Board of Veterinary Medical Examiners, and the State Apple Commission.

The costs to operate the Department of Agriculture are as follows:

	FY-72[1]	FY-73[1]	FY-74*	FY-75**
Salaries	$2,556,333	$2,706,560	$3,481,790	$3,611,867
Operating Expenses	1,010,505	1,025,939	1,504,751	1,659,185
Total	$3,567,198	$3,732,499	$4,986,541	$5,271,052
Source of Revenue				
General Funds	$2,897,462	$3,034,433	$3,893,801	$4,079,688
Special Funds	$ 325,855	$ 326,241	$ 652,928	$ 697,738
Federal Funds	$ 343,881	$ 371,825	$ 439,812	$ 493,413

[1]Budgets for FY-72-73 include funds for the Maryland State Board of Agriculture.

* Appropriated funds

** Requested

For financial information about specific units within the Department of Agriculture see Appendix A found on page 17.

OTHER STATE AGENCIES PROVIDING AGRICULTURE SERVICES

When the Department of Agriculture was established two major facets of agriculture -- agriculture research and education -- remained outside the department. The two university-based agencies which perform these activities will be briefly described below.

Maryland Cooperative Extension Service

The Cooperative Extension Service is a long established operation at the University of Maryland, and other Land-Grant institutions in the country. The federal Smith-Lever Act of 1914 (HR 7951, Public No. 95) provided federal funding to cooperative agricultural extension services at agricultural colleges for the purpose of diffusing information related to agriculture and home economics.

As the Cooperative Extension Services has developed, it has greatly expanded its mission and staff. While maintaining its agricultural educational programs, the Maryland Cooperative Extension Service has expanded its programs to reach urban areas. Presently each county and Baltimore City has a team of Extension Service personnel that operate in their jurisdiction. This staff assists farmers, youth and the general public by offering 4-H clubs, home economic or agricultural related demonstrations, seminars, publications or classes. The Maryland Cooperative Extension Service estimates that 36% of its time is spent in agriculture, 25% in home economics, and 28% in 4-H and youth, and 11% in community and resource development.

In conjunction with this expanded mission, there has been a substantial increase in the staff and budget of the Maryland Cooperative Extension Service. In five years, the Extension's budget and staff number nearly doubled, until in 1973 there were approximately 600 employees and a budget of $6 million.

The funding for the Cooperative Extension Service is shared by federal, state and local governments. Local governments contribute to the operation of the Extension team working in their county.

Agricultural Experimental Station

The Agricultural Experimental Station is a state-federal funded institution designed to conduct agricultural research. As part of the University of Maryland, some of the Experimental Station's facilities are located on the College Park Campus. In addition, the Station operates farms and substations elsewhere in the State. Among the areas researched by the Experimental Station are plant and livestock nutrition, breeding and disease control, soil fertility, marketing, and improved breeds and varieties.

In 1975, the budgeted number of staff positions for this agency totaled 217. The station's total expenditure for fiscal year was $3,807,262, of which approximately 20% were federal funds.

Agriculture in Perspective

As a relatively new agency, just under two years old, it is difficult to adequately assess the relationships of the Department of Agriculture

with other state agencies and levels of government. After the Department has had an opportunity to establish itself, a thorough evaluation could be undertaken. In this brief examination of the function of agriculture, several questions and concerns become apparent.

One unresolved question is whether further consolidation of the several state agricultural agencies should occur. Is it a satisfactory arrangement to have three separate state agencies involved in agriculture or should the Department of Agriculture, the Maryland Cooperative Extension Service and the Agricultural Experimental Station be merged? Is consolidation desirable or practical?

Logically it would seem that consolidation would facilitate the development of a single, consistent agricultural policy for the State. A merger might also prevent the possibility of duplication or competition between agencies. The three areas -- research, education, and marketing and regulations -- interface. By having one umbrella agency encompass all three areas, programs might be better coordinated.

On the otherhand, practical considerations might deter consolidation. First by transferring the university-based agencies to the department, substantial federal financial support might be jeopardized. The Cooperative Extension Service Program was established as an extension of land-grant institutions throughout the country by the Federal Smith Lever Act in 1914. To sever the Extension Service programs from the university might disqualify Maryland from receiving federal funding earmarked for this extension program.

Federal contributions to the Agricultural Experimental Station are also extensive. In 1975, the federal government funds will pay for approximately one-third of the cost of the Agricultural Experimental Station. Without this federal funding, the State would find it difficult if not impossible to maintain the existing program offered by those two agencies.

Second, the Maryland Cooperative Extension Service is a long established, solidly based institution throughout the State and the country Because it provides service directly to the community, the Cooperative Extension Service is highly visible and well supported by portions of the public sector. The proposed transfer of the Cooperative Extension Service activities to the Department of Agriculture would generate considerable opposition, and at this time there is no strong support for such a change.

There is some merit to the argument that these agricultural research and educational oriented agencies benefit from their association with the academic community. By being part of the University of Maryland, the staff is better able to keep abreast of new trends and methods in Agriculture. With arguments for and against consolidation, this issue remains unsettled.

As a new agency, the Department of Agriculture has experienced a number of developmental problems. Like most agencies, new programs and

additional personnel create the problem of overcrowding of existing facilities, which generally results in demands for the expansion and modernization of those facilities. In addition, the new Department has been working with a situation that finds the Office of the Secretary located at College Park, or in various locations throughout the State. The view has been expressed that a more efficient operation of departmental programs would be realized if all administrative personnel were centrally located.

As previously indicated, financial assistance by local governments in agricultural related programs is limited. There are occasions when counties will participate in a departmental program by helping to defray the costs of a program. However, there are times when local funds for specific programs are discontinued such as the case of the Animal Health Programs sponsored by the Division of Animal Industries. In this situation, funds from Dorchester, Montgomery and Prince George's Counties have been discontinued for this program. According to a Department of Agriculture official, this type of activity can create budgetary problems, especially when budgets have already been approved and the loss of funds for an ongoing program means money must be found if the program is to continue.

Federal regulations and guidelines also have a tremendous impact on the State's agricultural program. The U.S. Environmental Protection Agency has enacted sweeping federal regulations which will materially

influence air and noise quality standards and the use of pesticides in the State resulting in the need for more enforcement personnel to handle expanded program requirements. Programs required by federal and state agencies for the regulation and inspection of agricultural and other products have resulted in requests for additional staff to be assigned to the Department.

Another area that has been indicated as presenting the Department with a difficult situation is the financial consideration eminating from federally funded programs. It appears that those programs receiving federal funds are faced with the possibility of cancellation or a cut-back in funding. An example of the problem is the Division of Marketing. It appears that funds from the federal government for activities to be carried out by the State under the Agricultural Marketing Act of 1946 were not placed in the Federal Budget for FY-75. Since this action was done without prior notice, marketing programs of the Maryland Department of Agriculture will be seriously affected if the money is not restored.

The diverse activities with regard to testing and inspecting various items point to the continuing need for laboratory work to assist the Department as a whole. At present, there are five animal health laboratories, a seed laboratory, a weights and measures laboratory, and an entomology laboratory. Questions concerning the laboratory operations center not only on consolidation of these facilities in one place for greater efficiency, but also whether cooperative programs among other state departments could be coordinated to insure maximum utilization of laboratory services.

In the area of agriculture, local governmental participation in agricultural related activities varies from jurisdiction to jurisdiction depending mainly upon the type of program in effect. Cooperative programs involving the State Department of Agriculture and counties generally involve monetary support from the local governments with staff support from these same units being limited. Questions that are raised because of this situation are: What should the role of local governments be with regard to agriculture and its related activities? If local governments should become more involved in this activity, how can this be accomplished?

APPENDIX A

FINANCIAL DATA FOR DIVISIONS WITHIN THE DEPARTMENT OF AGRICULTURE
FY-74-75

DIVISION	TOTAL	SALARIES	OPERATING EXPENSES	NUMBER OF POSITIONS	GENERAL FUND	SPECIAL FUND	FEDERAL FUND
I. Inspection and Regulation							
Fy-74	452,349	328,288	124,061	27	443,049	9,300	
FY-75	531,572	339,616	166,956	29	495,309	5,300	30,963
II. Marketing							
FY-74	527,156	427,902	99,254	20	218,156	280,000	29,000
FY-75	571,288	461,613	109,675	21	262,288	280,000	29,000
III. Plant Industries							
FY-74	1,091,480	612,139	479,341	51	1,061,280	30,200	-
FY-75	1,245,030	674,917	570,113	57	1,198,830	46,200	-
IV. Animal Industries							
FY-74	378,095	94,197	283,898	10	378,095	-	-
FY-75	379,172	93,047	286,125	10	379,172	-	-

TOTAL DIVISION EXPENDITURES

FY-74	2,449,080
FY-75	2,727,062

TOTAL DEPARTMENTAL EXPENDITURES

FY-74	4,986,541
FY-75	5,271,052