

**Department of Legislative Services**  
Maryland General Assembly  
2015 Session

**FISCAL AND POLICY NOTE**

Senate Bill 171 (Senator Gladden)  
Education, Health, and Environmental Affairs

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**Program Open Space - Baltimore City - Purchase Talbot Road Property**

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This bill requires the Mayor and City Council of Baltimore City to, in fiscal 2016, use a portion of specified Baltimore City Program Open Space (POS) direct grant funding to acquire property located in the 2400 and 2500 blocks of Talbot Road in Baltimore City for inclusion into the Gwynns Falls/Leakin Park system. The Mayor and City Council of Baltimore City may not use the funding for fiscal 2016 for any purpose until the Talbot Road property is acquired, as determined by the Department of Natural Resources (DNR).

The bill takes effect June 1, 2015.

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**Fiscal Summary**

**State Effect:** The bill does not materially affect State finances.

**Local Effect:** Baltimore City expenditures may increase in FY 2016 to cover costs of projects or activities not covered by POS direct grant funding as a result of the bill's required acquisition.

**Small Business Effect:** None.

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## Analysis

### **Current Law/Background:**

#### *Program Open Space*

POS provides dedicated funds for State and local parks and conservation areas. The program expedites the acquisition of conservation and scenic areas to avoid permanent forfeiture of such land due to unaffordable land prices and development. Both the State and local governments may use POS funding for land acquisition and the development of park and recreation facilities. State and local funding is based on a statutory formula. The program was established in 1969, and today more than 6,100 individual county and municipal parks and conservation projects have been assisted by it. DNR administers the program and allocates funding to both State and local projects.

#### *Baltimore City POS Funding*

The Baltimore City direct grant funding affected by the bill is a portion (which must be at least \$1.5 million annually) of the State's share of POS funds, which must be utilized to make grants to Baltimore City for projects which meet park purposes. Baltimore City also receives local POS funding apportioned among the counties and Baltimore City, and in recent years, additional special POS grants have been made to the city. In fiscal 2015, the city receives, from the State's share of POS funds, \$1.5 million in direct grant funding, \$6.0 million for the Gwynns Falls/Leakin Park Urban Children in Nature Campus Project, and \$300,000 for the Royal Theater and Community Heritage Corporation for the acquisition, clearance, and site preparation of land and the design of athletic and open spaces. In addition, the city's apportionment of local POS funding is \$1.5 million. The Governor's proposed fiscal 2016 budget includes \$1.5 million in Baltimore City direct grant funding and an additional \$1.5 million through the local POS apportionment.

DNR indicates that the \$1.5 million in direct grant funding is typically used for maintenance and general operations of the Baltimore City Park System and other projects as requested by the city. Projects funded with the direct grant funding are reviewed and approved by DNR, and subsequently the Board of Public Works, in the same manner as projects funded with local POS funding.

Baltimore City's process for determining which projects are proposed for POS funding is described in the introduction to its [Consolidated Annual Program Grant Application](#). Suggestions of project sites come from city agencies, private citizens, and community organizations and sites are evaluated based on a list of various factors.

*Gwynns Falls/Leakin Park and Talbot Road*

Gwynns Falls/Leakin Park is located in West Baltimore and is one of the largest urban wilderness woodland parks in the Eastern United States. Talbot Road, in the Windsor Hills neighborhood, is on the northeast side of the park.

**Local Fiscal Effect:** Baltimore City expenditures may increase in fiscal 2016 to the extent the city would not, in the absence of the bill, seek to acquire property located in the 2400 and 2500 blocks of Talbot Road using fiscal 2016 POS direct grant funding. The bill's requirement that a portion of the Baltimore City direct grant funding be used to acquire the Talbot Road property may require the city to absorb the cost of projects or activities that otherwise would be covered by that same funding unless the projects or activities are deferred or simply not funded.

Any decrease in Baltimore City property tax revenues resulting from the acquired property becoming tax exempt government-owned property devoted to a governmental use or purpose is not expected to be material.

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**Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Natural Resources, State Department of Assessments and Taxation, Baltimore City, Department of Legislative Services

**Fiscal Note History:** First Reader - February 13, 2015  
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