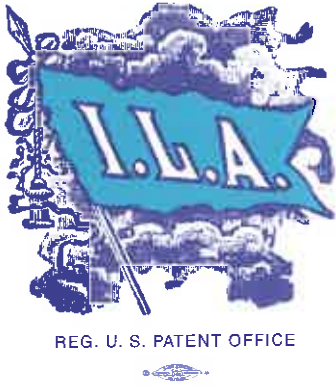


**SB0230 - MPA - ILA - SUPP\_FINAL.pdf**

Uploaded by: Westervelt, Patricia

Position: FAV



# INTERNATIONAL LONGSHOREMEN'S ASSOCIATION Local No. 333

Affiliated with AFL-CIO and Canadian Labour Congress

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**SCOTT COWAN**  
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January 14, 2021

The Honorable Delores G. Kelley  
Chair, Senate Finance Committee  
3 East, Miller Senate Building  
Annapolis MD 21401

**Re: Letter of Support – Senate Bill 230 – Maryland Port Administration – Land Acquisition and Payment to Counties**

Dear Chair Kelley and Committee Members:

The International Longshoremen's Association (ILA) supports Senate Bill 230, as it would directly and positively impact the hardworking men and women who make their living at the Port of Baltimore.

This legislation allows the ILA's partner at the Maryland Port Administration (MPA) to quickly acquire property to expand the terminal and cargo handling operations at the Port of Baltimore, one of the leading ports in the nation for freight and an economic engine for the State. With the construction of the Howard Street Tunnel project and the second 50-foot berth at Seagirt Marine Terminal, the MPA must continue to ensure the Port of Baltimore is competitive with neighboring ports along the U.S. East Coast. The MPA's ability to acquire property in a fair and meaningful way directly benefits our workforce and the City and the Counties of Maryland in which our workers reside. The MPA's acquisition of property is a clear indication of the continued growth and success of the hardworking men and women of the ILA at the Port of Baltimore and the significant investment in infrastructure and good-paying, family-sustaining jobs by the MPA.

The ILA Local 333 represents over 2000 maritime workers in Baltimore, who bravely operate on the front lines of the public marine terminals and facilities at the Port of Baltimore. During this challenging time amid the COVID-19 pandemic, the Port of Baltimore, and its workforce, continue to play an integral role in maintaining our nation's supply chain, moving vital goods to the healthcare industry and consumers. The Port of Baltimore generates 15,330 direct family-supporting jobs for Marylanders, where the average wage of these jobs exceeds the statewide average annual wage by 9.5%. The Port handles more automobiles, light trucks, and roll-on/roll-off farm and construction machinery than any other port in the U.S.

The Honorable Delores G. Kelley

Page 2

For the Port of Baltimore to continue to generate family-supporting jobs and income for the hardworking men and women on the frontlines of this industry, the MPA must be able to act swiftly to acquire the few industrial properties that remain and negotiate terms in a fair and meaningful way.

The ILA respectfully requests the Committee grant Senate Bill 230 a favorable report.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Scott Cowan".

Scott Cowan  
President, ILA Local 333  
Vice President, International Longshoremen's Association  
443 756-2432

# **SB0230 - MPA - Land Acquisition and Payment to Cou**

Uploaded by: Westervelt, Patricia

Position: FAV

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January 19, 2021

The Honorable Delores G. Kelley  
Chair, Senate Finance Committee  
3 East Miller Senate Building  
Annapolis MD 21401

***Re: Letter of Support – Senate Bill 230 – Maryland Port Administration – Land Acquisition and Payment to Counties***

Dear Chair Kelley and Committee Members:

The Maryland Department of Transportation (MDOT) supports Senate Bill 230, as it would allow the MDOT Maryland Port Administration (MDOT MPA) to acquire property in an efficient and competitive manner. This would directly and significantly impact MPA by supporting the continued success and growth of the Port of Baltimore, one of the leading ports in the nation for freight and an economic generator for the State of Maryland.

Senate Bill 230 reduces the waiting period that a political subdivision has to respond to the MDOT MPA's request to purchase property in that political subdivision from 90 days to 30 days; amends the requirement of a public meeting in Anne Arundel County to be optional; and limits any voluntary agreement or payment in lieu of taxes (PILOT) that the MDOT MPA may enter into for tax-exempt property to a period of three years.

The current protracted waiting period under Maryland law (TR § 6-304), which is not a burden applicable to any other public or private entity in the State, negatively impacts the ability of the MDOT MPA to act quickly to acquire unique and diminishing industrial property adjacent to deep water. The statute-enforced inability to act quickly to acquire property greatly increases the risk that rare industrial properties will be acquired by a different entity, which may not have the same intention that MPA has of ensuring the property remains industrial, generating hundreds of jobs necessary to Maryland's economy. Furthermore, the unrestricted ability of a political subdivision to request a PILOT in the form of the full tax rate directly contradicts the clear intent of Maryland law (TR § 6-308) to exempt the Port of Baltimore and cargo facilities from taxation. When the MDOTMPA acquires property, the political subdivision is guaranteed the commitment from the Port that the property will produce jobs and economic activity, thereby generating personal income, business revenues, and state and local tax revenues to the state and political subdivision.

The Honorable Delores Kelley  
Page Two

The MDOT MPA is in constant competition with rival ports to increase cargo volumes, expand terminals, and provide positive economic growth for the State and political subdivision where port facilities are located. For the MDOT MPA to retain its competitive edge over competing ports, to the benefit of each political subdivision in an industry that operates on razor-thin margins, the MDOT MPA needs to be able to quickly respond to land acquisition opportunities with approval from the political subdivision, followed by a cost-effective proposal for a reasonable PILOT to not exceed three years.

At the Port of Baltimore, the MDOT MPA works diligently to accomplish its mission to increase waterborne commerce through the State of Maryland in a way that benefits the citizens of the State and the City of Baltimore. In doing so, the Port has consistently proven its value as a good neighbor and strong partner throughout the State. The Port of Baltimore generates 15,330 direct family-supporting jobs for Marylanders, where the average wage of these jobs exceeds the statewide average annual wage by 9.5 percent. The Port handles more automobiles, light trucks, and roll-on/roll-off farm and construction machinery than any other port in the U.S. Throughout the COVID-19 pandemic, Maryland's Port remains integral in maintaining our nation's supply chain, moving vital goods to the healthcare industry and consumers. The Port of Baltimore serves as a staple for the State's economic resiliency, where cargo numbers continue to climb.

For the Port of Baltimore to continue to operate successfully as an economic engine for the State, growth cannot be impeded by restrictive requirements that conflict with the intent of the Maryland General Assembly in ensuring the Port's ability to grow and acquire property in a fair and meaningful manner, which directly benefits the State by generating good-paying, family-supporting jobs and increasing business revenues and local taxes.

For these reasons, the Maryland Department of Transportation respectfully requests the Committee grant Senate Bill 230 a favorable report.

Respectfully Submitted,

William P. Doyle  
MPA Executive Director  
Maryland Port Administration  
410-385-4401

Pilar Helm  
Director of Government Affairs  
Maryland Department of Transportation  
410-865-1090

# **Oppose SB 230 01192021.pdf**

Uploaded by: Baron, Peter

Position: UNF



January 19, 2021

**Senate Bill 230**

**Maryland Port Administration - Land  
Acquisition and Payment to Counties**

**Senate Finance Committee**

**Position: OPPOSED**

This departmental bill decreases the number of days (from 90 days to 30 days) a local government has to deny a request made by the Maryland Port Authority (MPA) for approval to purchase or condemn property in the local jurisdiction. The bill also establishes a maximum term of three years for any payment in lieu of tax (PILOT) agreements that MPA and a county may enter into for tax-exempt property. Finally, the bill repeals a requirement that Anne Arundel County must hold a public hearing in order to approve a request by MPA to acquire an interest in land or improvements on land in the county; instead, the county is authorized to do so.

We are concerned that this legislation will hurt County tax payers by limiting the length of time a PILOT maybe in place. We currently have two PILOTs with the Maryland Port Administration.

Additionally, we are opposed to attempts to limit public participation. Our Administration has worked hard to create more opportunities for the public to participate in local government decisions. Our OpenArundel Portal provides insight into the activities of our department to the numerous town halls we hold on any number of subjects. For example, our Charter requires two public forums for the budget – we host seven. This bill will cut off the opportunity for those that are most impacted by the activity to have their voices heard.

Finally, the 30-day timeframe established by the bill for local review of an acquisition will create an impossible administrative burden for the County. Any legislative action to be approved by the County Council necessarily takes time. Our Council meets only twice monthly, giving the Council limited time to discuss and negotiate any proposed acquisition by MPA. Furthermore, the Charter requires public advertisement of any legislation before the Council that would necessarily extend the time needed to act beyond 30 days.

We urge an **UNFAVORABLE** report on Senate Bill 230.



**SB0230-FIN\_MACo\_OPP.pdf**

Uploaded by: Kinnally, Kevin

Position: UNF



## Senate Bill 230

### *Maryland Port Administration – Land Acquisition and Payment to Counties*

MACo Position: **OPPOSE**

To: Finance Committee

Date: January 19, 2021

From: Kevin Kinnally

The Maryland Association of Counties (MACo) **OPPOSES** SB 230. This bill would set an unreasonable timeframe for local governments to review and respond to property acquisition requests from the Maryland Port Administration and needlessly undercut the terms of payment in lieu of taxes agreements between the State and county governments.

Land use and zoning are central components of local authority under Maryland law – serving as the essential means for community input. Under current law, local governments have 90 days to respond to the Maryland Port Administration before a request to acquire property is deemed granted. By cutting that timeframe to just 30 days, this bill would undermine local processes and preclude public input.

County governments depend on property tax revenue to support state-mandated spending, and for the delivery of core services upon which all county residents depend. Because properties used in conjunction with cargo handling facilities is generally exempt from property taxes, the State may provide payments in lieu of taxes to help offset losses in local tax revenue. By limiting such agreements to three years, this bill could undermine county revenue structures and support for schools, public health, public safety, and other essential community services.

In general, MACo stands for local self-determination. Counties, led by their elected leaders who are directly accountable within the community, are in the best position to make decisions on local affairs – ranging from land use to budget priorities. MACo steadfastly guards this local autonomy, and frequently advocates against statewide solutions that mandate county compliance or otherwise override local decision-making.

Counties stand ready to work with state policymakers to develop flexible and optional tools to incentivize economic development, but resist state-mandated changes that preclude local input. Accordingly, MACo urges the Committee to give SB 230 an **UNFAVORABLE** report.

**SB0230-UNF.pdf**

Uploaded by: Mehu, Natasha

Position: UNF



**BRANDON M. SCOTT**  
MAYOR

*Office of Government Relations  
88 State Circle  
Annapolis, Maryland 21401*

**SB 230**

January 19, 2021

**TO:** Members of the Senate Finance Committee

**FROM:** Natasha Mehu, Director of Government Relations

**RE:** SENATE BILL 230 – Maryland Port Administration – Land Acquisition and Payment to Counties

**POSITION: OPPOSE**

Chair Kelley, Vice Chair Feldman, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **opposes** Senate Bill (SB) 230.

SB 230, if enacted, would impact the current relationship between the Maryland Department of Transportation (MDOT) Maryland Port Administration (MPA) and local governments—practically speaking, Anne Arundel County, Baltimore County and the City of Baltimore—in two distinct ways. First, the bill reduces the time by when Baltimore City may formally object via action at the Board of Estimates (BOE) to MDOT MPA’s acquisition of privately held property from 90 days to 30 days. Second, the bill would limit the term of any payment in lieu of taxes (PILOT) agreements between the City and MDOT MPA on such acquired property to three (3) years.

The first provision of SB 230—the length of time alteration—presents a logistical governmental challenge to the City. Thirty days may seem like a reasonable amount of time in concept, but logistics for gathering meeting materials, coordinating between offices, and recesses between meetings raise concern from the BCA for instances where MDOT MPA would provide notice to the City and the BOE would not be able to consider the request within the 30-day window. That would effectively result in the City waiving its only opportunity to object to taking what is almost certainly going to be industrially zoned private property off the tax roll—potentially forever.

The BCA understands the economic value and prestige that the Port of Baltimore (Port) and MDOT MPA brings to the State as a whole and the region more specifically. Each year MDOT MPA provides an update to the Members of the General Assembly and MDOT MPA deserves accolades for its continual success. Yet as it relates to the specific

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<https://mogr.baltimorecity.gov/>*

matter of real property, the Port's success comes at a very real cost to the revenues collectible by the City. A brief survey of the State Department of Assessments and Taxation will show that there are tens to hundreds of millions of property taxes exempt from collection by local governments.

Accordingly, when MDOT MPA identifies a privately owned property that it wishes to acquire **and** the City of Baltimore does not object to the acquisition, the BCA sees no reason why its legal ability to negotiate a PILOT with MDOT MPA needs to be pre-empted by State law and limited to a three year term. Putting this limitation on the length of a PILOT agreement significantly strains the City's ability to collect revenues it needs to provide services to all residents of Baltimore City—including the Port of Baltimore.

In closing, the Port of Baltimore is a tremendous asset to the State of Maryland and the City of Baltimore, Baltimore County, and Anne Arundel County. We are fortunate that its natural location, the improvements and investments of State and local governments and private industry have put into it, and by the tremendous management in recent years of MDOT MPA, which have all impacted its continuing economic success. It is certainly one of, if not the single most valuable parcels of land in our State. However, given the reasons stated above, the BCA believes this bill, as introduced, would negatively impacts the BCA's local authority in a way that could have significant negative consequences to our land use powers and ability to balance our budget.

The BCA respectfully requests an **unfavorable** report on Senate Bill 230.