

Maryland Catholic Conference_FAV_SB1188.pdf

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Position: FAV



April 2, 2024

SB 1188

Maryland Protecting Opportunities and Regional Trade (PORT) Act

Senate Finance Committee

Senate Budget & Taxation Committee

Position: FAVORABLE

The Maryland Catholic Conference (MCC) offers this testimony in support of Senate Bill 1188. The Catholic Conference is the public policy representative of the three (arch)dioceses serving Maryland, which together encompass over one million Marylanders. Statewide, their parishes, schools, hospitals and numerous charities combine to form our state's second largest social service provider network, behind only our state government.

Senate Bill 1188, the PORT Act, would establish temporary relief programs to assist individuals and entities impacted by the collapse of the Francis Scott Key Bridge and the closure of the Port of Baltimore. The bill authorizes the Governor to transfer funds from the Revenue Stabilization Account to fund these temporary relief programs.

The collapse of the Francis Scott Key Bridge has had devastating consequences for our community, especially for those whose livelihoods depend on the operation of the Port of Baltimore. As Catholics we are called to stand in solidarity with our neighbors in times of crisis and to offer support and assistance to those most in need. SB 1188 demonstrates a commitment to fulfilling these urgent needs by providing much-needed relief to individuals and entities affected by this devastating event.

The establishment of temporary relief programs by the Maryland Department of Labor and the Department of Commerce is a commendable step towards alleviating the financial burdens faced by workers, businesses, surviving family members of those whose lives were lost, and communities that have been adversely affected by the bridge collapse and port closure.

SB 1188 represents a tangible expression of upholding the dignity of every human person and the promotion of the common good by providing compassionate assistance to the people and entities impacted by the closure of the Port and the collapse of the bridge. The MCC urges support of this vital legislation that seeks to prioritize the well-being and welfare of our community members who are facing hardship because of this tragic event. Thus, we request a favorable report on Senate Bill 1188.

SB 1188_MD Center on Economic Policy_FAV.pdf

Uploaded by: Kali Schumitz

Position: FAV

To Protect the Baltimore Region's Economy, Support Displaced Port Workers

Position Statement in Support of Senate Bill 1188

Given before the Senate Finance Committee

The Maryland Center on Economic Policy applauds the Moore administration and the Maryland General Assembly for taking swift action to limit the economic damage from the tragic collapse of the Francis Scott Key Bridge and subsequent closure of the Port of Baltimore. Senate Bill 1188 provides much-needed support to workers displaced by the port's closure who are excluded from traditional unemployment insurance, as well as support to affected businesses for the purpose of maintaining their current workforce. **For these reasons, the Maryland Center on Economic Policy supports Senate Bill 1188.**

The assistance program for displaced workers is particularly vital because the traditional unemployment insurance system excludes more workers than it covers. As of February 2024, only 29% of unemployed workers in Maryland (those who are actively seeking a job but unable to find one) were eligible for unemployment insurance – below the national average.ⁱ Partly due to this hole in our unemployment insurance system, 57% of Maryland adults who recently lost job-related income (due to job loss or reduced hours or wages) reported difficulty keeping up with household expenses this February.ⁱⁱ Moreover, families experiencing financial distress are the most likely to cycle any income assistance back into the local economy.

Lawmakers and the Moore administration should consider several improvements to Senate Bill 1188:

- Displaced workers should be exempt from the bill's clawback provisions (Paragraphs (e)(2)–(e)(3)), as families recovering from a job loss may struggle to repay benefits that have already gone toward groceries, rent, or other necessities.
- The assistance program for businesses diverted to another regional port (Subsection (d)) should be required to use the relief to maintain their workforce at the same hours, rates of pay, and benefits in effect before the closure of the port, similar to those receiving assistance under Subsection (c).
- While the bill's funding flexibility is appropriate for responding to an evolving crisis, this flexibility should come with oversight. The administration should report to the General Assembly on the extent to which businesses receiving relief maintain their workforce at the same hours, rates of pay, and benefits in effect before the closure of the port.

For these reasons, the Maryland Center on Economic Policy respectfully requests that the Senate Finance Committee make a favorable report on Senate Bill 1188.

Equity Impact Analysis: Senate Bill 1188

Bill summary

Senate Bill 1188 creates assistance programs for workers and businesses affected by the closure of the Port of Baltimore and authorizes the governor to transfer reserve funds for that purpose.

Background

On March 26, 2024, a major section of the 12 Francis Scott Key Bridge collapsed into the Patapsco River after the a container ship collided with one of the bridge's primary support pillars. Because of the bridge collapse, the Port of Baltimore is closed for an indefinite period.

The Port accounts for approximately \$3.3 billion in annual personal income for individuals, with approximately 15,300 jobs in Maryland directly generated by Port activity and approximately 140,000 total jobs linked to Port activity.

Equity Implications

- Only 29% of unemployed workers in Maryland were eligible for unemployment insurance in February 2024. Partly due to inadequate coverage, 57% of workers who recently experienced a loss of employment income report difficulty keeping up with household expenses. Senate Bill 1188 would provide support for workers displaced by the port closure who are not eligible for traditional unemployment insurance.
- According to the Economic Policy Institute, Black, Latinx, and Asian workers are less likely to receive unemployment benefits than their white counterparts, and are therefore more likely to need to protection Senate Bill 1188 provides.

Impact

Senate Bill 1188 would likely **improve racial and economic equity** in Maryland.

ⁱ Unemployment Insurance Chartbook Table A13, U.S. Department of Labor, <https://oui.doleta.gov/unemploy/chartbook.asp>

ⁱⁱ MDCEP analysis of U.S. Census Bureau Household Pulse Survey data, Phase 4.0 Cycle 02, Spending Table 1, <https://www.census.gov/data/tables/2024/demo/hhp/cycle02.html>

SB1188 - Maryland Protecting Opportunities and Reg

Uploaded by: Louis Campion

Position: FAV



Maryland Motor Truck Association

9256 Bendix Road, Suite 203, Columbia, MD 21045

Phone: 410-644-4600 Fax: 410-644-2537



HEARING DATE: April 2, 2024

BILL NO/TITLE: SB1188 – Maryland Protecting Opportunities and Regional Trade (PORT) Act

COMMITTEE: Senate Finance Committee

POSITION: Support

In the aftermath of the tragic collapse of the Key Bridge, Maryland Motor Truck Association (MMTA) offers its support for SB1188. Until such time as the waterways are cleared and reopened for delivery, the blockade of the Patapsco River will choke off economic activity for local trucking companies. Many will be unable to survive in the days and weeks ahead without financial assistance.

The Port of Baltimore relies greatly on the motor carrier industry and the independent owner-operator truck driver to move the containers, automobiles, and breakbulk products that traverse its terminals. Trucks are the hub of the state's distribution wheel as they support the manufacturing, agricultural, and retail industries.

MMTA appreciates that SB1188 extends not just to workers on the Port terminals, but also to industries like ours that require access to the Port to survive. A life support will be needed for many of these local businesses to keep them afloat. Without this the Port will have substantially reduced truck capacity to move freight when volumes are restored.

The association appreciates the engagement of all applicable federal, state, and local government agencies to deploy the necessary resources needed on behalf of the trucking industry at this difficult time. As such, MMTA asks for a favorable report.

About Maryland Motor Truck Association: Maryland Motor Truck Association is a non-profit trade association that has represented the trucking industry since 1935. In service to its 1,000 members, MMTA is committed to support, advocate and educate for a safe, efficient and profitable trucking industry in Maryland.

For further information, contact: Louis Campion, (c) 443-623-5663

SB1188-FIN-BT-FAV.pdf

Uploaded by: Nina Themelis

Position: FAV



BRANDON M. SCOTT
MAYOR

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

SB1188

April 2, 2024

TO: Members of the Senate Finance and Budget & Taxation Committees
FROM: Brandon M. Scott, Mayor, City of Baltimore
RE: Senate Bill 1188 - Maryland Protecting Opportunities and Regional Trade (PORT) Act
POSITION: **Support**

Chairs Beidle and Guzzone, Vice Chairs Klausmeier and Rosapepe and members of the Committees, please be advised that I strongly support Senate Bill (SB) 1188.

SB 1188 would provide temporary relief programs for individuals, small businesses, trade associations, and other companies that are directly affected by the collapse of the Francis Scott Key Bridge and subsequent temporary closure of the Port of Baltimore (“the Port”). This temporary relief will be a beacon of hope for small businesses, trade associations, and especially the workers who find themselves without work through no fault of their own. The significance of this legislation cannot be overstated.

The Port is a significant driver of our regional economy. Last year alone, the Port accounted for approximately \$3.3 billion in annual personal income and supported around 153,000 jobs directly linked to its operations. These figures, while striking, pale in comparison to the true impact that business at the Port has for the livelihoods of businesses and workers and their families.

The collision of the Dali did not just disrupt a structure; it severed a critical link to the Port of Baltimore, indefinitely halting the operations that many depend upon for their very survival. The bridge’s collapse has far-reaching impacts, affecting everything from international cargo handling, which saw over 52.3 million tons of cargo last year, to the everyday worker who relies on the Port to make ends meet.

Our City’s identity is intrinsically tied to the Port. The logistics of moving cargo through our waters is embedded in Baltimore’s DNA, passed down through generations who have made their living on these docks. It is a legacy that we cannot afford to let wither in the wake of this disaster. Among the hardest hit are the 5,529 city residents who hold direct jobs at the port, whose immediate futures are now uncertain.

SB 1188 offers a lifeline to those affected, ensuring that the workforce upon which the Port relies remains intact and ready to spring into action once repairs are made and normal operations can resume. We must do everything within our power to support this Act and expedite the relief it promises. Our commitment to our citizens and our Port is a testament to the resilience and solidarity of our community. Together, we can navigate these turbulent times and emerge stronger, preserving the legacy and the future of the Port of Baltimore for generations to come.

For the above reasons, I urge a **favorable** report for SB1188.

SB1188_CASA_FAV

Uploaded by: Ninfa Amador

Position: FAV



Testimony in SUPPORT of SB 1188

Maryland Protecting Opportunities and Regional Trade (PORT) Act

Finance Committee

April 2, 2024

Dear Honorable Chair Beidle and Members of the Committee,

The tragic incident on March 26, 2024, has had a profound impact on the CASA community, on Baltimore, our state - and across the nation. It is with a heavy heart that we mourn the loss of CASA members, Miguel Luna and Maynor Yassir Suazo Sandoval. And the loss of Alejandro Hernandez Fuentes, Dorlian Ronial Castillo Cabrera, Jose Mynor Lopez, and Carlos Hernandez. These Marylanders, from Mexico, Guatemala, El Salvador, and Honduras, are immigrants who made Maryland stronger. We honor and celebrate them, all of the port workers impacted, as heroes who worked tirelessly to build and sustain our nation. **CASA offers favorable testimony in strong support of SB 1188, Maryland Protecting Opportunities and Regional Trade (PORT) Act.** This bill would ensure that adequate measures are taken to assist those affected by the Francis Scott Key bridge collapse.

As the foremost immigrant services and advocacy organization in the region, CASA is deeply committed to the welfare of all immigrant families and the workers impacted by this disaster. The loss is immeasurable, particularly for the six families who have lost their loved ones, a void that can never be filled. In these trying times, it is imperative that we extend our support and resources to all affected individuals, ensuring that no one is left behind due to their immigration status. The tragedy has starkly highlighted the vital role immigrant labor plays in sustaining Maryland's economy, providing essential services, from healthcare to construction.

CASA understands the Moore Administration has proposed amendments aimed at extending scholarship benefits to the spouses and children of those who perished. We wholeheartedly support these initiatives and urge the committee to consider them favorably.

CASA thanks the General Assembly for their swift and decisive legislative action. We urge a favorable report on SB 1188 to bring much-needed relief to those whose lives have been changed by this tragedy.

PORT Act (SB 1188) Testimony

Uploaded by: Senator Ferguson

Position: FAV



The Senate of Maryland
ANNAPOLIS, MARYLAND 21401-1991

SB 1188 - Maryland Protecting Opportunities and Regional Trade (PORT) Act

Testimony of Senate President Bill Ferguson

On April 2, 2024

Before the Senate Finance and Budget and Taxation Committees

Why This Bill Matters:

On March 26, 2024, the Francis Scott Key bridge collapsed into the Patapsco River after the Dali, a 984-foot container ship, collided with one of the bridge's primary support pillars. Tragically, six construction workers lost their lives after what was otherwise a routine day at work. The impact of the catastrophic collapse of the Francis Scott Key Bridge continues to affect not just the families of the six workers, but is rippling across Baltimore City, the State, and global supply chains.

The Port accounts for approximately \$3.3 billion in annual personal income for individuals, with approximately 15,300 jobs in Maryland directly generated by Port activity and approximately 140,000 total jobs linked to Port activity. It is critical that we ensure the thousands of workers and their families who rely on the Port of Baltimore can put food on their tables and pay their bills. We also must assist our businesses so that they return to the Port of Baltimore once the channel fully reopens.

What This Bill Does:

Senate Bill 1188 will help workers and businesses impacted by the partial closure of the Port of Baltimore by enabling the Administration to use the State's Rainy Day Fund to scale up targeted grant programs. Specifically, the PORT Act will allow the Maryland Departments of Commerce and Labor to:

- Support workers not covered by our unemployment insurance system;
- Ensure impacted businesses can retain and fully pay their workforce; and
- Incentivize companies to return to the Port after it reopens fully.

With the amendments, the bill also establishes the Fallen Transportation Workers Scholarship Fund to assist the surviving spouses and dependents of those transportation workers who lose their lives while on the job. In addition, the amendments make it clear that any money donated to the surviving families is tax exempt. Finally the amendments:

- Suspend the requirement that workers impacted by the reduced operations at the Port and receiving unemployment benefits seek employment;
- Increase the bonding authority of the Maryland Transportation Authority so that the State can move swiftly at the right time to rebuild the Key Bridge; and
- Make other clarifying and technical changes to ensure the Administration has the flexibility to administer the program and maximize the receipt of federal funding.

Why You Should Vote For This Bill:

Six people lost their lives when the Francis Scott Key Bridge collapsed on March 26. This bill cannot make those families whole, but it acknowledges the tremendous sacrifice of the workers. In addition, the State of Maryland and tens of thousands of people rely on the port for its economic activity. This activity makes Maryland a leader in automotive and agricultural commerce and a crucial logistics point for supply chains across the country and the world. By making tactical investments in our highly skilled and dedicated workforce and businesses, we will ensure that we retain our economic engine that keeps Maryland workers and business moving forward as we rebuild.

Thank you for your consideration of Senate Bill 1188 and I urge the committee to move this bill with a favorable report.

SB1188_SenSalling

Uploaded by: Senator Salling

Position: FAV

JOHNNY RAY SALLING
Legislative District 6
Baltimore County

Budget and Taxation Committee
Public Safety, Transportation,
and Environment Subcommittee



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Finance Committee
Senator Pamela Beidle
Senator Katherine Klausmeier
3 East
Miller Senate Office Building
Annapolis, Maryland 21401

To the Chair, Vice Chair, and esteemed Members of the Finance Committee:

I am writing to express my strong support for Maryland Senate Bill 1188, also known as the Maryland Protecting Opportunities and Regional Trade (PORT) Act.

The recent tragedy of the collapse of the Key Bridge has devastated lives in our local area and has had a catastrophic effect on national and international commerce. This incident has highlighted the urgent need for investments in infrastructure and the importance of initiatives like the PORT Act, which promote regional trade and economic resilience.

The collapse of the Key Bridge has resulted in many people losing their jobs and business prospects, making it imperative to enact measures that facilitate economic recovery and resilience. By easing regulatory burdens, the PORT Act will not only spur innovation and job creation but also provide much-needed support to those affected by the bridge collapse.

However, I would like to draw attention to an amendment that our office has proposed, which seeks to strike provisions requiring the repayment of funds allocated under the PORT Act. It is our belief that no business or individual should be deterred from accepting much-needed financial support simply because it is not sourced directly from the State. By removing these repayment requirements, we can ensure that the benefits of the PORT Act are accessible to all, regardless of the funding source.

In conclusion, I urge you to support Maryland Senate Bill 1188 and the important goals it seeks to achieve. By reducing regulatory burdens, and ensuring equitable access to support, this bill will play a vital role in strengthening Maryland's economy and fostering prosperity for all.

Thank you for your attention to this matter, and I would urge a favorable report on this bill.

Sincerely,

A handwritten signature in red ink that reads "Johnny Ray Salling".

Senator Johnny Ray Salling

240401_SB1188_TRONE - Support - PORT Act.pdf

Uploaded by: Sonny Holding

Position: FAV



April 1, 2024

The Honorable Pamela Beidle
Chair, Finance Committee
3 East, Miller Senate Office Building
Annapolis, Maryland 21401
The Honorable Katherine Klausmeier

Vice Chair, Finance Committee
3 East, Miller Senate Office Building
Annapolis, Maryland 21401

Dear Chair Beidle and Vice Chair Klausmeier,

I write to you today in full support of *Senate Bill 1188 - Maryland Protecting Opportunities and Regional Trade (PORT) Act*.

In the wake of the tragic Francis Scott Key Bridge collapse in Baltimore last week, I highly commend Governor Wes Moore, the Moore-Miller Administration, and the Maryland General Assembly for quickly taking action to find a way to make those directly affected by this unprecedented event financially whole by introducing this important legislation.

In the immediate aftermath of the bridge collapse and port closure, my thoughts are with the thousands of workers whose livelihoods will be impacted as commerce is likely to halt in the near future while clean up efforts attempt to re-open the obstructed channel for the Port. Through no fault of their own, many of these workers will soon become unemployed and with no clear indication of when they can expect to start earning a paycheck again.

While Maryland has safety net programs in place, the maximum allotment for Maryland Unemployment Insurance is only about \$430 a week, or approximately \$22,000 a year. This amount, while helpful, falls well short of the average salary of a Port employee and will simply not be enough to pay their bills during this work stoppage. It is also important to note that many of these workers are classified as "independent contractors" and thus are ineligible for traditional Unemployment Insurance programs. This further compounds the problem, as these employees' livelihoods are solely dependent on the flow of goods in and out of the Port. This indefinite work stoppage will mean that these ineligible independent contractors will be left without any means of financially supporting themselves and their families.

For these reasons, this legislation is a vital first step in making sure that we do not leave any of the affected employees behind as we recover from this tragedy and rebuild the Port. By directing the Maryland Department of Labor to establish temporary relief programs for all of these workers, we can help them to survive financially while they weather this work stoppage and ensure that they and their families do not suffer further due to no fault of their own.

I stand in full support of *Senate Bill 1188 - Maryland Protecting Opportunities and Regional Trade (PORT) Act* and I urge you to give this legislation the highest consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Trone", with a stylized flourish at the end.

David Trone
Member of Congress

Anne Arundel County _FAV_SB1188 (1).pdf

Uploaded by: Steuart Pittman

Position: FAV



April 2, 2024

Senate Bill 1188

Maryland Protecting Opportunities and Regional Trade (PORT) Act

Senate Finance Committee

Position: FAVORABLE

Anne Arundel County **SUPPORTS** Senate Bill 1188 – Maryland Protecting Opportunities and Regional Trade (PORT) Act

Anne Arundel County applauds the swift response of the Governor’s Administration, federal partners, and local leaders who immediately deployed support and resources to address the unexpected tragedy and begin recovery efforts.

The Francis Scott Key Bridge plays a vital role in Maryland’s economy and transportation, and infrastructure operations. Over 11 million drivers cross the bridge per year, and since its collapse, thousands of jobs have been impacted. Port workers are looking at unemployment while commuters need to find alternative traffic routes for their destinations. Six families, while dealing with the tremendous loss of their loved ones, now have to figure out how to move forward financially with a loss of household income. We must pass legislation that provides effective support for the families and workers, ensures that local businesses can thrive, and creates a pathway for the Port of Baltimore to continue being a strong economic engine for Maryland while rebuilding efforts are underway.

Senate Bill 1188 establishes a temporary assistance program through the Department of Commerce for small businesses and companies that rely on access to the port and its operations. This Bill also establishes a temporary unemployment assistance program through the Department of Labor for workers affected by port closings and workers who were employed by the port, but don’t qualify for certain benefits. Senate Bill 1188 is only part of the overall solution, but it’s imperative that we use every tool in our toolkit to support workers and businesses in this period of economic flux and rebuilding of the Key Bridge.

Anne Arundel County believes that this legislation is a critical step for Maryland’s recovery, and we support the General Assembly’s efforts to move this Bill as quickly as possible so workers and businesses can apply for resources. For all of these reasons, we respectfully request a **FAVORABLE** report on Senate Bill 1188.

A handwritten signature in blue ink, appearing to read "Steuart Pittman".

Steuart Pittman
County Executive

Luedtke Port Act Testimony-combined.pdf

Uploaded by: Eric Luedtke

Position: FWA

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April 2, 2024

Madame Chair, Mister Chair, Members of the Finance and Budget & Taxation Committees,

Thank you for the prompt hearing and opportunity for the administration to offer comment on Senate Bill 1188, the Protecting Opportunities and Regional Trade (PORT) Act. The Governor deeply appreciates the ongoing partnership with the Maryland General Assembly as the State faces the enormous task of recovery from the tragic collapse of the Francis Scott Key Bridge. The Governor supports the passage of SB 1188 with amendments.

The Governor's Office and the Departments of Budget and Management, Transportation, Labor, Emergency Management, and Commerce have reviewed the legislation and respectfully and collectively submit the attached proposed amendments to the PORT Act. The amendments the Administration is proposing include the following:

- Clarifying language that makes clear that agencies are able to make use of existing and available budgetary resources prior to requesting funds from the Rainy Day Fund (Revenue Stabilization Account);
- Flexibility for the Department of Labor to exempt individuals from work search requirements in order to access unemployment insurance during a state of emergency. This is intended to ensure that insofar as is possible, we provide an incentive for port workers who are unable to work as a result of reduced operations at the port to return to work at the port as soon as work becomes available again there;
- Creation of a new, permanent scholarship for the surviving children and spouses of transportation workers who die as a result of an accident on the job. The bridge collapse, coming on the heels of last year's crash on the Baltimore Beltway, which also killed six construction workers, has only highlighted the vital importance of the work transportation workers contribute to our state every day and the danger inherent in that work. It is the least we can do as a state to ensure that the families of those who died as a result of these incidents are taken care of;
- Department of Commerce and Department of Labor markup amendments to the legislation as introduced, which:
 - Move the layoff aversion program envisioned in the bill from Commerce to Labor, which is better positioned to manage that program;

- Allow the temporary relief program for businesses to support businesses whose shipments are affected by the reduced operations of the port, in addition to operational impacts;
 - Include clawback language for cases of fraud or misrepresentation;
 - Add “shipments” to operations due to a request from Commerce for reliance on the port under (d) in order to clarify that businesses that may not be geographically located at or in close proximity to the port but are reliant on the port are eligible for assistance.
 - Allow fund balances from within Labor and Commerce to be used on the programs envisioned by the bill; and
 - Make further technical and clarifying changes.
- Clarifying language from the Department of Transportation replacing the phrase ‘closure of the port’ with ‘reduced operations of the port’ to better reflect the fact that work at the port is still continuing since the collapse, albeit at a reduced level; and
 - Clarifying language from the Department of Emergency Management which makes clear that the creation of the temporary relief program envisioned by the bill comes into being if a major disaster is not declared by the President of the United States or if, upon consultation between the State and the federal government, the State does not apply for a major disaster declaration. This amendment is proposed because the program envisioned in the bill would be duplicative of Disaster Unemployment Assistance available to workers from the federal government if a major disaster declaration is approved.

We stand ready to answer any questions the committees should have on these proposed amendments or on the bill and urge a favorable report with amendments on Senate Bill 1188.

Sincerely,



Eric Luedtke
Chief Legislative Officer
Office of Governor Wes Moore

**Proposed Administration Amendments
SB 1188 / HB 1526: The PORT Act**

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1. Amendments to the original language to clarify financing:

Summary: These amendments are intended to clarify that after federal funding, but prior to funding from the rainy day fund, agencies should seek to prioritize the use of existing and available funds prior to requesting rainy day funds.

Amendments:

A. On page 5 adding a new (3) as follows:

(3) It is the intent of the General Assembly that State agencies prioritize the use of existing and available budgetary resources prior to requesting funds be transferred from the Revenue Stabilization Account.

This fits in nicely with (2), which says to use federal funds first. So the bill would prioritize the use of federal resources first, then use existing resources second, then if funds are still needed then request funding from the RDF.

B. Add a new Section 2 as follows:

SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, the Departments of Commerce and Labor may transfer available funding from existing programs and special funds to support the programs authorized pursuant to the provisions of this act.

Current Section 2 would need to be amended to Section 3.

2. Department of Labor - UI flexibility for relief from work search requirements

Summary: This amendment is intended to provide additional flexibility for the Department of Labor to waive work search requirements for unemployment insurance during a state of emergency.

Amendments:

Article - Labor & Employment

§ 8-903.

(E) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, THE SECRETARY MAY EXEMPT AN INDIVIDUAL FROM THE WORK SEARCH REQUIREMENT UNDER SUBSECTION (A)(1)(III) OF THIS SECTION DURING A STATE OF EMERGENCY DECLARED BY THE GOVERNOR IF:

(1) THE INDIVIDUAL IS ON A TEMPORARY LAYOFF DIRECTLY RESULTING FROM THE EVENT OR OCCURRENCE LEADING TO THE STATE OF EMERGENCY; AND

(2) THE INDIVIDUAL REMAINS ABLE TO WORK AND AVAILABLE FOR WORK IN ACCORDANCE WITH THIS SECTION AND WORK-ATTACHED.

3. Scholarship for Children of Workers Who Die in the Line

Summary: This amendment is intended to create a new, permanent scholarship for the children and surviving spouses of transportation workers killed on the job.

Amendment:

Article - Education

§ 18-4001

(A) (1) In this section the following words have the meanings indicated.

(2) “Fund” means the fallen roadway workers scholarship fund.

(3) “Transportation facility” has the meaning indicated in Section 3-101 of the transportation article.

(4) “Transportation worker” means a person who is employed in the state in the construction, maintenance, rehabilitation, or operation of a transportation facility.

(B) (1) There is a fallen transportation workers scholarship.

(2) The purpose of the scholarship is to provide tuition assistance to students who are the eligible dependents or surviving spouses of transportation workers who died as a result of an accident while the transportation worker was performing any duties necessary to the construction, maintenance, rehabilitation, or operation of a transportation facility in the state.

(C) (1) A person may apply to an eligible postsecondary institution for a scholarship under this section if the person:

(i) 1. Is accepted for admission or enrolled in the regular undergraduate, graduate or professional program at an eligible institution;

2. Is enrolled in a 2-year terminal certificate program in which the course work is acceptable for transfer credit for an accredited baccalaureate program in an eligible institution; or

3. Is enrolled in a private career school;

(ii) Is at least 16 years old;

(iii) Is a resident of Maryland; and

(iv) Is a son, daughter, stepson, stepdaughter, or the surviving spouse of a transportation worker who died as a result of an accident while the transportation worker was performing any

duties necessary to the construction, maintenance, rehabilitation, or operation of a transportation facility in the state.

(D) A scholarship awarded under this section:

(1) May be used for the tuition and mandatory fees at any eligible institution; and

(2) May not:

(i) Exceed the equivalent annual tuition and mandatory fees of a resident undergraduate student at the 4-year public institution of higher education within the University System of Maryland, other than the University of Maryland Global Campus and University of Maryland, Baltimore Campus, with the highest annual expenses for a full-time resident undergraduate; and

(ii) Be less than the lesser of:

1. \$3,000; or

2. The equivalent annual tuition and mandatory fees of a resident of the institution attended by the recipient of the scholarship.

(E) (1) Each postsecondary institution shall determine the eligibility of persons who apply to the institution for the fallen transportation workers scholarship program.

(2) Funds for the fallen transportation workers scholarship program shall be allocated by the commission to each postsecondary institution based on the number of eligible recipients attending each institution.

(3) In October and February of each year, each postsecondary institution shall report to the commission the number of eligible recipients attending the institution.

(4) The commission shall allocate funds for awards to postsecondary institutions upon verification of eligible recipients attending the institutions.

(5) If funds cannot be allocated in the fiscal year in which awards are made, priority shall be given to allocating funds for those awards in the following fiscal year.

(F) Each recipient of a scholarship under this section may hold the award for 5 years of full-time study or 8 years of part-time study.

(G) To the extent practicable, the Department of Transportation, a local Department of Transportation, or a contractor which employs transportation workers shall provide to the commission the names of and contact information for the families of transportation workers who died as a result of an accident while the transportation worker was performing any duties necessary to the construction, maintenance, rehabilitation, or operation of a transportation facility in the state.

(H) (1) There is a fallen transportation workers scholarship fund.

(2) The commission shall administer the fund.

(3) The fund is a special, nonlapsing fund that is not subject to § 7-302 of the state finance and procurement article.

(4) The state treasurer shall hold the fund and the comptroller shall account for the fund.

(5) The commission:

(i) May accept any gift or grant from any person for the fund;

(ii) Shall use any gift or grant that it receives for a scholarship from the programs; and

(iii) Shall deposit any gift or grant that it receives for the programs with the state treasurer.

(I) Funding for the scholarship shall be as provided in the state budget.

4. Commerce Markup Amendments

Summary: These markup amendments were provided by the Department of Commerce and incorporate conversations between that Department and the Department of Labor. Some of them are incorporated as well into the Labor Markup Amendments below. These amendments:

- Move the layoff aversion program envisioned in the bill from Commerce to Labor, which is better positioned to manage that program;
- Allow the temporary relief program for businesses to support businesses whose shipments are affected by the reduced operations of the port, in addition to operational impacts;
- Include clawback language for cases of fraud or misrepresentation;
- Allow fund balances from within Labor and Commerce to be used on the programs envisioned by the bill; and
- Make technical and clarifying changes.

Amendments:

(c) (1) Subject to paragraph (2) of this subsection and subsection (e) of this section, the Department of **Labor** ~~Commerce~~, as soon as practicable, shall establish a temporary relief program to provide assistance to small

businesses, trade associations, or companies that contract with or are members of a trade association:

(i) the operations of which:

1. rely on access to or the operation of the Port; and
2. are ~~substantially~~ hindered or halted entirely due to the closure of the Port;

(ii) that, without the reopening of the Port, are unable to retain their workforce at the same hours, rates of pay, and benefits in effect before the closure of the Port; and

(iii) that are committed to continuing operations, to the fullest extent practicable, at the Port once it reopens.

(2) A small business, trade association, or company that contracts with a trade association that receives relief under the program established under this subsection shall, to the fullest extent practicable, use the relief to maintain its workforce at the same hours, rates of pay, and benefits in effect before the closure of the Port.

(d) Subject to subsection (e) of this section, the Department of Commerce, as soon as practicable, shall establish a temporary relief program to provide assistance to businesses:

(1) the operations **or shipments** of which:

- (i) rely on the use of or access to the Port;
- (ii) are ~~substantially~~ hindered or halted entirely due to the closure of the Port; and
- (iii) are subsequently diverted to other regional ports; and

(2) that are committed to continuing operations **or shipments**, to the fullest extent practicable, at the Port once it reopens.

(e) (1) Any funds distributed under subsections (b) through (d) of this section shall be distributed on or before June 30, 2025.

(2) In administering the temporary relief programs established under subsections (b) through (d) of this section, the Maryland Department of Labor and the Department of Commerce shall require an individual, business, trade association, or company that is compensated through indemnification or other similar means for the same purpose for which assistance is provided under the applicable program to repay any monetary assistance received under the applicable program within 6 months after receipt of the nonprogram compensation.

(3) The Maryland Department of Labor and the Department of Commerce may make an assessment against an individual, business, trade association, or company to recapture any amounts owed in accordance with paragraph (2) of this subsection.

(f) (1) Notwithstanding § 7–311(i) of the State Finance and Procurement Article, after providing the Legislative Policy Committee at least 7 days to review and comment, the Governor may transfer by budget amendment any amounts necessary to fund the temporary relief programs established under subsections (b) through (d) of this section from **existing fund balances within the Department of Commerce or the Department of Labor, as well as** the Revenue Stabilization Account established under § 7–311 of the State Finance and Procurement Article to:

(i) for the programs established under subsection **(b) and (c)** of this section, the expenditure account of the Maryland Department of Labor;

(ii) for the program established under subsection **(d)** of this section, the expenditure account of the Department of Commerce; or

~~(iii) for the program established under subsection (d) of this section, the Economic Development Opportunities Program Account established under § 7–314 of the State Finance and Procurement Article.~~

(2) It is the intent of the General Assembly that, if federal funds become available for any purpose for which a program is established under this Act, the federal funds may be used to:

(i) supplant, rather than supplement, any funds otherwise used for the programs established under this Act; and

(ii) to the extent authorized by federal law, reimburse the Revenue Stabilization Account, established under § 7–311 of the State Finance and Procurement Article, for any funds transferred under paragraph (1) of this subsection.

5. Transportation Markup Amendments

Summary: These markup amendments alter the term ‘closure of the port’ in the bill as introduced to ‘reduced operations of the port’ to better reflect the reality and make clear that while many maritime operations have been reduced, there is still economic activity occurring at the Port.

Amendments:

- A. Under Section 1 (a)(2), change completely to: “Reduced operations of the Port” means the suspension of vessel traffic or the inability of vessels to access the Port of Baltimore due to the collapse of the Francis Scott Key Bridge on March 26, 2024.
 - B. Alter all other references in the bill from ‘closure of the port’ to ‘reduced operations of the port.’
-

6. Labor Markup Amendments

Summary: These amendments make a number of changes to the bill as introduced, including:

Subsection (b)

- Adjusts language to ensure assistance targets work at the port.

Subsection (c)

- Names Labor as the implementing agency for the program created under (c)

Subsection (d)

- Added “shipments” to operations due to a request from Commerce for reliance on the port under (d) in order to clarify that businesses that may not be geographically located at or in close proximity to the port but are reliant on the port are eligible for assistance.

Subsection (e)

- Allows Departments of Labor and Commerce to collect repayments due through means of collection other than assessment. Note that the individuals under (b) is likely to be a very small number, since most independent contractors or other non-covered workers will not have indemnification that the bill envisions.
- Added language to enable the Departments of Labor and Commerce to receive information from other agencies to help verify individuals' prior paid work at the port and business entities' business operations.
- Added additional language to enable recapture of funds.

Subsection (f)

- Per request from Secretary Grady to utilize existing fund balances Commerce has suggested language giving the ability to transfer from other existing funds within the Departments.
- Due to Commerce now implementing one program, the funding for that program has just been directed to the expenditure account of Commerce, removing the need to utilize the Sunny Day Fund. Commerce is unsure if Labor is able to access the Sunny Day Fund so has just recommended directing funding for the programs created through (b) and (c) to Labor’s expenditure account.

Amendments:

(a) (1) In this Section, the following words have the meaning indicated:

(2) “~~Closure~~ **Reduced Operations** of the Port” means a ~~cessation in the operations~~ **the suspension of vessel traffic** or the inability **of vessels** to access the Port of Baltimore due to the collapse of the Francis Scott Key Bridge on March 26, 2024.

(3) “Port” means the Port of Baltimore

(b) Subject to subsection (e) of this section, the Maryland Department of Labor, as soon as practicable shall establish a temporary relief program to provide assistance to individuals who:

(1) regularly performed paid work at the Port;

(2) are unable, **through no fault of their own, to perform such work due to** ~~through no fault of their own due to the closure~~ **reduced operations** of the Port; and

(3) ~~despite being~~ **are** able to work, ~~and~~ **are** available for work, **are unable to find other suitable employment** ~~and actively seeking work,~~ **and** do not qualify for unemployment insurance benefits under Title 8 of the Labor and Employment Article or any similar employer-provided benefit.

(c) (1) Subject to paragraph (2) of this subsection and subsection (e) of this section, the Department of **Labor** ~~Commerce~~, as soon as practicable, shall establish a **grant** ~~temporary relief~~ program to provide assistance to small businesses, trade associations, or companies that contract with or are members of a trade association:

(i) the operations of which:

1. rely on access to or the operation of the Port; and
2. are substantially hindered or halted entirely due to ~~the closure~~ **reduced operations** of the Port;

(ii) that, without the reopening of the Port, are unable to retain their workforce at the same hours, rates of pay, and benefits in effect before the **reduced operations** ~~closure~~ of the Port; and

(iii) that are committed to continuing operations, to the fullest extent practicable, at the Port once it reopens.

(2) A small business, trade association, or company that contracts with a trade association that receives relief under the program established under this subsection shall, to the fullest extent practicable, use the relief to **avert layoffs and** maintain its workforce at the same hours, rates of pay, and benefits in effect before the **reduced operations** ~~closure~~ of the Port.

(d) Subject to subsection (e) of this section, the Department of Commerce, as soon as practicable, shall establish a temporary relief program to provide assistance to businesses:

(1) the operations **or shipments** of which:

(i) rely on the use of or access to the Port;

(ii) are ~~substantially~~ hindered or halted entirely due to **reduced operations** ~~the closure of the Port; and~~

(iii) are subsequently diverted to other regional ports;

and

(2) that are committed to continuing operations **or shipments**, to the fullest extent practicable, at the Port once it reopens.

(e) (1) Any funds distributed under subsections (b) through (d) of this section shall be distributed on or before June 30, 2025. **The Secretaries of Labor and Commerce shall have authority to recoup funds in cases of misappropriation, overpayment, or fraudulent activity.**

(2) The Department of Commerce and Department of Labor shall establish procedures and eligibility criteria for the programs in subsections (b) through (d). The Departments may require businesses, trade associations, or companies that contract with or are members of a trade association to provide information to determine eligibility and implement such programs.

(3) Maryland agencies shall make available, subject to applicable law, relevant information to enable the Departments of Commerce and Labor, in carrying out subsections (b) through (d) to verify identity, determine eligibility, and combat fraud.

(4) In administering the temporary relief programs established under subsections (b) through (d) of this section, the Maryland Department of Labor and the Department of Commerce shall require an individual, business, trade association, or company that is compensated through indemnification or other similar means for the same purpose for which assistance is provided under the applicable program to repay any monetary

assistance received under the applicable program within 6 months after receipt of the nonprogram compensation.

(5) The Maryland Department of Labor and the Department of Commerce may make an assessment **or use other reasonable means of collection** against an individual, business, trade association, or company to recapture any amounts owed in accordance with paragraph (4) of this subsection.

(f) (1) Notwithstanding § 7–311(i) of the State Finance and Procurement Article, after providing the Legislative Policy Committee at least 7 days to review and comment, the Governor may transfer by budget amendment any amounts necessary to fund **and administer** the temporary relief programs established under subsections (b) through (d) of this section from **existing fund balances within the Department of Commerce or the Department of Labor, as well as** the Revenue Stabilization Account established under § 7–311 of the State Finance and Procurement Article to:

(i) for the programs established under subsection **(b) and (c)** of this section, the expenditure account of the Maryland Department of Labor;

(ii) for the program established under subsection **(d)** of this section, the expenditure account of the Department of Commerce; or

~~(iii) for the program established under subsection (d) of this section, the Economic Development Opportunities Program Account established under § 7–314 of the State Finance and Procurement Article.~~

(2) It is the intent of the General Assembly that, if federal funds become available for any purpose for which a program is established under this Act, the federal funds may be used to:

(i) supplant, rather than supplement, any funds otherwise used for the programs established under this Act; and

(ii) to the extent authorized by federal law, reimburse the Revenue Stabilization Account, established under § 7–311 of the State Finance and Procurement Article, for any funds transferred under paragraph (1) of this subsection.

7. Emergency Management Markup Amendments

Summary: These markup amendments clarify that the temporary relief program envisioned by the bill will come into effect if a major disaster declaration is not declared or pursued, as such a declaration will make workers eligible for the federal Disaster Unemployment Assistance program.

Amendments:

(b) Subject to subsection (e) of this section, **should the President of the United States not declare a major disaster as a result of the collapse of the Francis Scott Key Bridge or should the State of Maryland not submit a request for a major disaster declaration,** the Maryland Department of Labor, as soon as practicable, shall establish a temporary relief program to provide assistance to individuals who:

X. Full Bill Text - Proposed Amendments in Red Bold Text

A BILL ENTITLED

AN ACT concerning

Maryland Protecting Opportunities and Regional Trade (PORT) Act

FOR the purpose of requiring the Maryland Department of Labor and the Department of Commerce to establish certain temporary relief programs to provide assistance to individuals and certain entities impacted by a certain ~~closure~~ **reduced operations** of the Port of Baltimore; authorizing the Governor to transfer, by budget amendment, funds from the Revenue Stabilization Account to fund the temporary relief programs; and generally relating to providing temporary relief for individuals and certain entities affected by the ~~closure~~ **reduced operations** of the Port of Baltimore.

Preamble

WHEREAS, At approximately 1:30 a.m. on March 26, 2024, a major section of the Francis Scott Key Bridge (Key Bridge) collapsed into the Patapsco River after the Dali, a 984-foot container ship, collided with one of the bridge's primary support pillars; and

WHEREAS, The collapse of the Key Bridge is a catastrophic event that resulted in a tragic loss of life and the ~~closure~~ **reduced operations** of the Port of Baltimore (Port); and

WHEREAS, The ~~closure~~ **reduced operations** of the Port has severe economic implications for the entire region and nation; and

WHEREAS, The Port accounts for approximately \$3.3 billion in annual personal income for individuals, with approximately 15,300 jobs in Maryland directly generated by Port activity and approximately 140,000 total jobs linked to Port activity; and

WHEREAS, In 2023, the Port set several records for itself and also ranked first among ports in the nation for handling the highest volume in each of the following categories: autos and light trucks (847,158 vehicles); roll-on, roll-off heavy farm and construction machinery (1.3 million tons); and imported sugar and gypsum; and

WHEREAS, The Port also ranked ninth in the nation in 2023 for both the tonnage of international cargo handled (52.3 million tons) and total foreign cargo value (\$80.8 billion); and

WHEREAS, Additionally, in 2023, in total the Port exported more than \$111 billion and imported more than \$36 billion worth of goods; and

WHEREAS, It is critical to ensure that the individuals and businesses that are economically impacted by the ~~closure~~ **reduced operations** of the Port are supported at this vital juncture; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, that the laws of Maryland read as follows:

Article - Education

§ 18-4001

(A) (1) In this section the following words have the meanings indicated.

(2) “Fund” means the fallen roadway workers scholarship fund.

(3) “Transportation facility” has the meaning indicated in Section 3-101 of the transportation article.

(4) “Transportation worker” means a person who is employed in the state in the construction, maintenance, rehabilitation, or operation of a transportation facility.

(B) (1) There is a fallen transportation workers scholarship.

(2) The purpose of the scholarship is to provide tuition assistance to students who are the eligible dependents or surviving spouses of transportation workers who died as a result of an accident while the transportation worker was performing any duties necessary to the construction, maintenance, rehabilitation, or operation of a transportation facility in the state.

(C) (1) A person may apply to an eligible postsecondary institution for a scholarship under this section if the person:

(i) 1. Is accepted for admission or enrolled in the regular undergraduate, graduate or professional program at an eligible institution;

2. Is enrolled in a 2-year terminal certificate program in which the course work is acceptable for transfer credit for an accredited baccalaureate program in an eligible institution; or

3. Is enrolled in a private career school;

(ii) Is at least 16 years old;

(iii) Is a resident of Maryland; and

(iv) Is a son, daughter, stepson, stepdaughter, or the surviving spouse of a transportation worker who died as a result of an accident while the transportation worker was performing any duties necessary to the construction, maintenance, rehabilitation, or operation of a transportation facility in the state.

(D) A scholarship awarded under this section:

(1) May be used for the tuition and mandatory fees at any eligible institution; and

(2) May not:

(i) Exceed the equivalent annual tuition and mandatory fees of a resident undergraduate student at the 4-year public institution of higher education within the University System of Maryland, other than the University of Maryland Global Campus and University of Maryland, Baltimore Campus, with the highest annual expenses for a full-time resident undergraduate; and

(ii) Be less than the lesser of:

1. \$3,000; or

2. The equivalent annual tuition and mandatory fees of a resident of the institution attended by the recipient of the scholarship.

(E) (1) Each postsecondary institution shall determine the eligibility of persons who apply to the institution for the fallen transportation workers scholarship program.

(2) Funds for the fallen transportation workers scholarship program shall be allocated by the commission to each postsecondary institution based on the number of eligible recipients attending each institution.

(3) In October and February of each year, each postsecondary institution shall report to the commission the number of eligible recipients attending the institution.

(4) The commission shall allocate funds for awards to postsecondary institutions upon verification of eligible recipients attending the institutions.

(5) If funds cannot be allocated in the fiscal year in which awards are made, priority shall be given to allocating funds for those awards in the following fiscal year.

(F) Each recipient of a scholarship under this section may hold the award for 5 years of full-time study or 8 years of part-time study.

(G) To the extent practicable, the Department of Transportation, a local Department of Transportation, or a contractor which employs transportation workers shall provide to the commission the names of and contact information for the families of transportation workers who died as a result of an accident while the transportation worker was performing any duties necessary to the construction, maintenance, rehabilitation, or operation of a transportation facility in the state.

(H) (1) There is a fallen transportation workers scholarship fund.

(2) The commission shall administer the fund.

(3) The fund is a special, nonlapsing fund that is not subject to § 7-302 of the state finance and procurement article.

(4) The state treasurer shall hold the fund and the comptroller shall account for the fund.

(5) The commission:

(i) May accept any gift or grant from any person for the fund;

(ii) Shall use any gift or grant that it receives for a scholarship from the programs; and

(iii) Shall deposit any gift or grant that it receives for the programs with the state treasurer.

(I) Funding for the scholarship shall be as provided in the state budget.

Article - Labor & Employment

§ 8-903.

(E) Notwithstanding any other provision of this title, the secretary may exempt an individual from the work search requirement under subsection (a)(1)(iii) of this section during a state of emergency declared by the governor if:

(1) The individual is on a temporary layoff directly resulting from the event or occurrence leading to the state of emergency; and

(2) The individual remains able to work and available for work in accordance with this section and work-attached.

SECTION 2. BE IT **FURTHER** ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(a) (1) In this section the following words have the meanings indicated.

(2) ~~“Closure of the Port” means a cessation in the operations of or the inability to access the Port of Baltimore due to the collapse of the Francis Scott Key Bridge on March 26, 2024.~~ **“Reduced operations of the Port” means the suspension of vessel traffic or the inability of vessels to access the Port of Baltimore due to the collapse of the Francis Scott Key Bridge on March 26, 2024.**

(3) “Port” means the Port of Baltimore.

(b) Subject to subsection (e) of this section, **should the President of the United States not declare a major disaster as a result of the collapse of the Francis Scott Key Bridge or should the State of Maryland not submit a request for a major disaster declaration,** the Maryland Department of Labor, as soon as practicable, shall establish a temporary relief program to provide assistance to individuals who:

(1) regularly performed paid work at the Port;

(2) are unable, **through no fault of their own,** to **perform such work due to** ~~through no fault of their own due to the closure~~ **reduced operations** of the Port; and

(3) ~~despite being~~ **are able to work, are available for work, and actively seeking work are unable to find other suitable work, and** do not qualify for unemployment insurance benefits under Title 8 of the Labor and Employment Article or any similar employer–provided benefit.

(c) (1) Subject to paragraph (2) of this subsection and subsection (e) of this section, the Department of ~~Commerce~~ **Labor**, as soon as practicable, shall establish a ~~temporary relief~~ **grant** program to provide assistance to small

businesses, trade associations, or companies that contract with or are members of a trade association:

(i) the operations of which:

1. rely on access to or the operation of the Port; and
2. are ~~substantially~~ hindered or halted entirely due to the ~~closure~~ **reduced operations** of the Port;

(ii) that, without the reopening of the Port, are unable to retain their workforce at the same hours, rates of pay, and benefits in effect before the ~~closure~~ **reduced operations** of the Port; and

(iii) that are committed to continuing operations, to the fullest extent practicable, at the Port once it reopens.

(2) A small business, trade association, or company that contracts with a trade association that receives relief under the program established under this subsection shall, to the fullest extent practicable, use the relief to **avert layoffs and** maintain its workforce at the same hours, rates of pay, and benefits in effect before the ~~closure~~ **reduced operations** of the Port.

(d) Subject to subsection (e) of this section, the Department of Commerce, as soon as practicable, shall establish a temporary relief program to provide assistance to businesses:

(1) the operations **or shipments** of which:

- (i) rely on the use of or access to the Port;
- (ii) are substantially hindered or halted entirely due to the ~~closure~~ **reduced operations** of the Port; and
- (iii) are subsequently diverted to other regional ports; and

(2) that are committed to continuing operations **or shipments**, to the fullest extent practicable, at the Port once it reopens.

(e) (1) Any funds distributed under subsections (b) through (d) of this section shall be distributed on or before June 30, 2025. **The Secretaries of Labor and Commerce shall have authority to recoup funds in cases of misappropriation, overpayment, or fraudulent activity.**

(2) **The Department of Commerce and Department of Labor shall establish procedures and eligibility criteria for the programs in subsections (b) through (d). The Departments may require businesses, trade associations, or companies that contract with or are members of a trade association to provide information to determine eligibility and implement such programs.**

(3) **Maryland agencies shall make available, subject to applicable law, relevant information to enable the Departments of Commerce and Labor, in carrying out subsections (b) through (d) to verify identity, determine eligibility, and combat fraud.**

(4) In administering the temporary relief programs established under subsections (b) through (d) of this section, the Maryland Department of Labor and the Department of Commerce shall require an individual, business, trade association, or company that is compensated through indemnification ~~or other similar means~~ for the same purpose for which assistance is provided under the applicable program to repay any monetary assistance received under the applicable program within 6 months after receipt of the nonprogram compensation.

(5) The Maryland Department of Labor and the Department of Commerce may make an assessment **or use other reasonable means of collection** against an individual, business, trade association, or company to recapture any amounts owed in accordance with paragraph ~~(2)~~ (4) of this subsection.

(f) (1) Notwithstanding § 7–311(i) of the State Finance and Procurement Article, after providing the Legislative Policy Committee at least 7 days to review and comment, the Governor may transfer by budget amendment any amounts necessary to fund **and administer** the temporary relief programs established under subsections (b) through (d) of this section from **existing fund balances within the Department of Commerce or the Department of Labor, as well as** the Revenue Stabilization Account established under § 7–311 of the State Finance and Procurement Article to:

(i) for the program established under subsection (b) **and (c)** of this section, the expenditure account of the Maryland Department of Labor;

(ii) for the program established under subsection (**ed**) of this section, the expenditure account of the Department of Commerce; or

~~(iii) for the program established under subsection (d) of this section, the Economic Development Opportunities Program Account established under § 7–314 of the State Finance and Procurement Article.~~

(2) It is the intent of the General Assembly that, if federal funds become available for any purpose for which a program is established under this Act, the federal funds may be used to:

(i) supplant, rather than supplement, any funds otherwise used for the programs established under this Act; and

(ii) to the extent authorized by federal law, reimburse the Revenue Stabilization Account, established under § 7–311 of the State Finance and Procurement Article, for any funds transferred under paragraph (1) of this subsection.

(3) It is the intent of the General Assembly that State agencies prioritize the use of existing and available budgetary resources prior to requesting funds be transferred from the Revenue Stabilization Account.

SECTION 3. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, the Departments of Commerce and Labor may transfer available funding from existing programs and special funds to support the programs authorized pursuant to the provisions of this act.

SECTION 2 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

SB 1188 -SUPP-Amd - FIN - Apr 2 - MD Protecting Op

Uploaded by: Henry Bogdan

Position: FWA



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April 2, 2024

Testimony on Senate Bill 1188
Maryland Protecting Opportunities and Regional Trade (PORT) Act
Senate Finance Committee

Position: Favorable with Amendments

Maryland Nonprofits is a statewide association of more than 2000 nonprofit organizations and institutions across our State. The nonprofit and philanthropic communities serves the panoply of health, social and economic needs of Maryland families suffering financial economic and social hardships. We urge your support for Senate Bill 1188, but we also urge you to assure that the assistance under this legislation, and the executive relief measures now begun or soon to follow, are broadened in scope to recognize both the direct and indirect hardships and other impacts that last week's disaster will inflict on families, businesses, and in some cases nonprofit organizations throughout the State.

Further, as our experience during the Covid-19 pandemic sadly demonstrated, lower-income individuals and families, communities of color, and our immigrant communities, suffer the most when the economy and services are disrupted by disasters or other public emergencies. Another lesson learned during the pandemic was the hardship imposed by lack of "language access" to the available public services and relief assistance. This too must be addressed in relief efforts, and permanently through legislation.

Just as the closure of the Port of Baltimore will affect in varying degrees people, businesses and the economy across all of Maryland, the collapse of the Francis Scott Key Bridge will create additional transportation and service hardships in the Baltimore/Central Maryland Region. For many in the area, ease of access to childcare, the time and distance of work's commute, and proximity to health care or education will be impacted. These and other effects will also have a disproportionate impact on those with fewer resources or fewer options for transportation.

The nonprofit community and organized philanthropy are already engaged, and we look forward to working in partnership with all levels of government to help our State and all Marylanders recover from this tragedy.

In the aftermath of catastrophic events, whether unexpected community tragedies, natural disasters, pandemics, or societal upheavals, the immediate focus often turns towards rescue and recovery efforts, securing basic necessities, and restoring infrastructure. Amidst these priorities, the crucial role of nonprofits and community services must not be overlooked. These organizations step into the breach, providing essential support and services to affected populations, often filling gaps that government and private sectors cannot. However, the ripple effects of such events can severely strain their resources and operational capacities.



30 YEARS STRENGTHENING ORGANIZATIONS FOR GREATER QUALITY OF LIFE AND EQUITY



Nonprofits and community organizations are uniquely positioned to offer specialized assistance, from mental health support to legal aid, thanks to their deep community ties and understanding of local needs. Yet, the increased demand for their services post-disaster puts a significant strain on their already limited resources. This is why relief efforts must include support for these vital entities. By bolstering their capacity with additional resources, we ensure that they can continue their critical work without interruption. Financial assistance, volunteer support, and material donations can help these organizations sustain their operations, adapt to the increased workload, and extend their reach to all corners of the community.

Moreover, investing in nonprofits and community services as part of disaster recovery plans is not just about immediate relief. It's also about building a resilient infrastructure that can withstand future crises. These organizations often lead initiatives in disaster preparedness, education, and resilience-building, which are indispensable in reducing the impact of future catastrophes. Supporting them in the wake of disaster, therefore, is a step towards a stronger, more prepared community. Their work ensures that the most vulnerable are not left behind in the rush to rebuild, making their inclusion in relief efforts not just beneficial, but essential.



30 YEARS STRENGTHENING ORGANIZATIONS FOR GREATER QUALITY OF LIFE AND EQUITY

