



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 299

Public-Private Partnership Projects – Real Property Acquisition - Prohibition

Good afternoon Chair Barve, Vice Chair Stein, colleagues.

The Governor's P3 project to add toll lanes to I-495 and I-270 is familiar to this committee. Over the last 2 years we have seen several bills related to this issue, including this bill. The expansion of I-495 and I-270 is of concern to many of us because we live there. We sit in the traffic. We care about the environmental impacts of sitting in traffic and of adding more roads and thus more cars. Because history teaches us when you build more roads, you get more cars. We want to get out of our cars and have more transit options. And we want to keep the houses and property we bought and love.

HB 299 would prohibit the Administration from using Eminent Domain to acquire real property for the Governor's P3 project to expand I-495 and I-270.

Now, you may be thinking: wait, Acting Secretary Slater just told us that the Administration will not acquire any property until the Board of Public Works approves the project.

Yes, this is an agreement the Administration came to with the Comptroller in January to get his vote on the project.¹ But, we have been here before.

At first, we were told no houses would be taken. On Labor Day 2018 Governor Hogan declared "not a single house is ever going to be taken down" with relation to the P3 project.² Similarly, in October 2018, then-Secretary Rahn told Montgomery County officials that "we will not be taking homes."³

But then in 2019 the Governor and then-Secretary Rahn started to walk those statements back. And when the Administration released its list of screened alternatives it was clear houses & property would be taken. And now, in 2020, Acting Secretary Slater admits that 34 houses are on the list to be taken.

¹ <https://bethesdamagazine.com/bethesda-beat/traffic/hogan-says-agreement-with-franchot-means-270-495-toll-lane-plan-can-advance/>

² <https://www.mymcmedia.org/hogan-were-not-going-to-take-your-houses/>

³ <https://wtop.com/montgomery-county/2018/10/article-for-pm-state-officials-get-an-earful-on-montgomery-co-over-plans-to-widen-i-270-and-the-beltway/>

And there are other instances of the Administration not keeping its word when it comes to this project.

In June, the Administration made an agreement with the Comptroller that they would do I-270 first, and the American Legion Bridge and I-495 second, to “give state transportation officials more time to work with leaders in Montgomery and Prince George’s to address their concerns.”⁴

The Board of Public Works was supposed to vote on the plan in December, but the Comptroller & the Treasurer said they wouldn’t approve the plan because the Administration backed away from the promises it made in June.⁵

So, now we are here. We’ve heard promises. They’ve been broken. My constituents are worried and want security that their property and their homes will not be taken.

This bill has precedent. In 2009 the General Assembly passed HB426, signed into law, that the state could not acquire real property for the construction of the Red Line. Residents in Baltimore were concerned about losing their homes, and the state supported them. I ask you to similarly support my constituents.

I ask for a favorable report.

⁴ https://www.washingtonpost.com/local/trafficandcommuting/hogan-plan-to-add-toll-lanes-to-beltway-i-270-heads-to-state-panel-for-key-vote/2019/06/04/6b91d488-86de-11e9-98c1-e945ae5db8fb_story.html

⁵ <https://www.npr.org/local/305/2019/12/18/789244645/capital-beltway-expansion-vote-put-on-hold-indefinitely>;
<https://www.facebook.com/peterfranchot/posts/2358997780870927>