

SAMUEL I. "SANDY" ROSENBERG
Legislative District 41
Baltimore City

Health and Government Operations
Committee

Chair

Health Occupations and
Long-Term Care Subcommittee

House Chair

Joint Committee on Administrative,
Executive, and Legislative Review



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Respond to Office Indicated

□ *Annapolis Office*
The Maryland House of Delegates
6 Bladen Street, Room 365
Annapolis, Maryland 21401
410-841-3297 · 301-858-3297
800-492-7122 Ext. 3297
Samuel.Rosenberg@house.state.md.us

□ *District Office*
4811 Liberty Heights Avenue
Baltimore, Maryland 21207
410-664-2646

Testimony of Delegate Samuel I. Rosenberg

Before the House Environment and Transportation Committee

in Support of

House Bill 1221

**Baltimore East-West Corridor – Property Acquisition –
Prohibiting Involuntary Residential Displacement**

Mister Chairman and Members of the Committee:

Fifty years ago, a West Baltimore neighborhood was demolished to build an extension to Interstate 70 to connect it to Interstate 95. More than 900 homes were destroyed, and their residents displaced before the project was cancelled in the face of opposition from suburban residents in the path of the proposed highway extension, who feared a similar fate. What was left of a once bustling Baltimore neighborhood was the "Highway to Nowhere."

This bill seeks to ensure that we learn from our past mistakes by preventing any future East-West transit project in the Baltimore area from displacing unwilling residents. Specifically, House Bill 1221 would prohibit the Maryland Transit Administration from acquiring any real property for planning, construction, operation, or maintenance of the Red Line if the acquisition would result in involuntary residential displacement.

Such language was included in House Bill 632 last session. That legislation was vetoed by Governor Hogan. That bill would have reinstated a prohibition that was enacted during the O'Malley administration but has since sunsetted.

The Fifth Amendment of the U.S Constitution provides that private property can only be taken if just compensation is provided. Article three, section 40, of the Constitution of Maryland requires that "just compensation, as agreed upon between the parties, or awarded by a Jury," must be paid before the property is seized.

With the past misuses of eminent domain, an additional requirement of consent should be implemented in Maryland. Consent coupled with compensation will create an equitable environment for government action that requires the use of property in private hands. In short, instead of imposing government power upon sometimes helpless parties, government will be required to contract with the private party.

By passing House Bill 1221 we would take an important step in rectifying past misdeeds, while also taking steps forward by introducing a compassionate check upon government's power of eminent domain.

I urge a favorable report on this bill.

March 2, 2023