

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE
Revised

House Bill 1413 (Delegate Rosapepe, et al.)
Ways and Means

Referred to Budget and Taxation

Public-Private Partnership Financing of Transportation Facility Projects

This amended bill grants the Maryland Transportation Authority (MdTA) explicit authority to enter into public-private partnership contracts for funding, construction, operation, and maintenance of transportation facilities and identifies those provisions of State law which may or may not apply to any such agreements.

The Department of Transportation and the MdTA are required to: (1) develop policies and procedures for public-private partnership agreements; (2) review the Consolidated Transportation Plan (CTP) and the Maryland Transportation Plan for projects that might be accelerated by public-private financing; and (3) report to the Governor and the General Assembly by October 1, 1996. In addition, the department is to establish an 11-member task force to report to the Governor and General Assembly by December 1, 1996 on the extent to which State procurement law should apply to public-private partnerships.

This bill is effective July 1, 1996.

Fiscal Summary

State Effect: None. The administrative requirements of the bill could be handled with existing resources of the Department of Transportation and the Maryland Transportation Authority. The authority to enter into public-private partnerships would have an indeterminate effect on the Transportation Trust Fund, depending upon the terms of any such agreements.

Local Effect: None.

Fiscal Analysis

Additional Comments: A recent Opinion of the Attorney General indicated that State procurement and minority business enterprise laws might apply to the public-private agreements envisioned by this bill, depending on the nature and the extent of State involvement.

Information Source(s): Department of Transportation (Office of Systems Planning and Evaluation, Maryland Transportation Authority), 81 *Opinions of the Attorney General* - (1996) [Opinion No. 96-004 (February 2, 1996)], Department of Fiscal Services

Fiscal Note History: First Reader - March 13, 1996
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