

---

By: **Senators DeGrange, Currie, Della, Giannetti, Hafer, Hogan, Jimeno,  
Kasemeyer, Lawlah, Middleton, Munson, and Teitelbaum**

Introduced and read first time: January 21, 2005

Assigned to: Finance

---

A BILL ENTITLED

1 AN ACT concerning

2                                   **Task Force to Study the Governance of Baltimore-Washington International**  
3                                   **(BWI) Airport**

4 FOR the purpose of establishing the Task Force to Study the Governance of  
5 Baltimore-Washington International (BWI) Airport; providing for the  
6 membership and staffing of the Task Force; requiring the Task Force to study  
7 certain issues related to BWI Airport governance and report to the Governor and  
8 the General Assembly on or before a certain date; requiring the Task Force to  
9 make recommendations with regard to governance at BWI Airport; prohibiting  
10 members of the Task Force from receiving certain compensation but authorizing  
11 the reimbursement of certain expenses; providing for the termination of this Act;  
12 and generally relating to a Task Force to Study the Governance of  
13 Baltimore-Washington International (BWI) Airport.

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That:

16       (a)       There is a Task Force to Study the Governance of Baltimore-Washington  
17 International (BWI) Airport.

18       (b)       The Task Force consists of the following 14 members:

19               (1)       two members of the Senate, appointed by the President of the Senate;

20               (2)       two members of the House of Delegates, appointed by the Speaker of  
21 the House of Delegates;

22               (3)       one member elected from and by the membership of the Maryland  
23 Aviation Commission, who has served for a minimum of 5 years on the Commission,  
24 to be jointly appointed by the President of the Senate and the Speaker of the House of  
25 Delegates;

26               (4)       two members representing the counties that are located in the  
27 current BWI Airport Noise Zone, to be jointly appointed by the President of the

1 Senate and the Speaker of the House of Delegates, and the appointments shall be  
2 from recommendations on a list provided by the respective county executives;

3 (5) two members who are currently employed or were previously  
4 employed by the Maryland Department of Transportation or the Maryland Aviation  
5 Administration who have or had a minimum of 10 years of continuous service in the  
6 Department, one in the area of airport finance and administration and one in the area  
7 of airside and landside operations, to be appointed by the chairman of the Task Force;

8 (6) one representative from an airline operating at BWI Airport as of  
9 June 30, 2005, appointed by the Legislative Policy Committee, in consultation with  
10 the chairman of the Task Force;

11 (7) one representative from national aviation-focused organizations  
12 such as the Airport Council International - North America and the American  
13 Association of Airport Executives, appointed by the Legislative Policy Committee;

14 (8) one representative of individuals employed at BWI Airport, appointed  
15 by the Maryland State and D.C. AFL-CIO; and

16 (9) two members of the community with special knowledge, experience,  
17 and expertise related to the BWI Airport or other commercial airports, jointly  
18 appointed by the President of the Senate and the Speaker of the House of Delegates.

19 (c) The Secretary of Transportation may serve as an ex officio member of the  
20 Task Force.

21 (d) The Task Force may request the assistance and advice of:

22 (1) the Comptroller for the State of Maryland or the Comptroller's  
23 designee; and

24 (2) the Treasurer of the State of Maryland.

25 (e) The President of the Senate and the Speaker of the House of Delegates  
26 shall jointly appoint a chairman and a vice chairman from the legislative membership  
27 of the Task Force.

28 (f) The Department of Legislative Services shall provide staff for the Task  
29 Force.

30 (g) The Maryland Department of Transportation shall provide all necessary  
31 funding for the Task Force. In addition, the Maryland Department of Transportation  
32 shall provide information as required and requested by the chairman of the Task  
33 Force.

34 (h) A member of the Task Force:

35 (1) shall serve without compensation; but

1 (2) is entitled to reimbursement for expenses under the Standard State  
2 Travel Regulations, as provided in the State budget.

3 (i) (1) The Task Force shall review and study:

4 (i) the governance structures of other large commercial airports  
5 including ownership and management, concessions contracting, master lease  
6 agreements between the airport and the airlines, and security issues;

7 (ii) the financial structure of other large commercial airports;

8 (iii) financial information covering BWI Airport operating and  
9 capital budgets from the past 10 years;

10 (iv) passenger, cargo volume, and aircraft operation trends at BWI  
11 Airport for the past 10 years;

12 (v) financial forecasts including operating and capital development  
13 plans for BWI Airport covering at least the next 5 years, including alternative  
14 financial mechanisms that are in use today by other publicly owned large commercial  
15 airports;

16 (vi) passenger, cargo, and aircraft operations forecasts at BWI  
17 Airport for at least the next 5 years and the ability of BWI Airport infrastructure to  
18 meet that demand;

19 (vii) staffing information for State employees at BWI Airport; and

20 (viii) industry benchmark data including revenue per enplaned  
21 passenger, cost per enplaned passenger, and tenant (airline and concessions)  
22 contributions to the BWI Airport finance model in comparison to other commercial  
23 airports.

24 (2) For purposes of this subsection, the Task Force shall consider as a  
25 "large commercial airport" any airport operating in the United States that serves  
26 more than 1,000,000 passengers enplaned per year.

27 (j) The Task Force may:

28 (1) request the assistance of the Federal Aviation Administration;

29 (2) require the Maryland Department of Transportation to supply copies  
30 of all previous governance studies of BWI Airport for review by the Task Force;

31 (3) require the Maryland Aviation Administration to provide technical  
32 and financial information to include copies of lease agreements between the airport  
33 and various parties, copies of operational contracts, and other data as may be  
34 requested by the Task Force;

35 (4) consult other airport trade organizations;

1 (5) consult community associations from areas surrounding BWI  
2 Airport;

3 (6) conduct site visits to BWI Airport to see operating activities and  
4 capital improvements underway at BWI Airport;

5 (7) conduct site visits to other airports to view their facilities, planning  
6 process, and governance structures; and

7 (8) review qualifications statements and proposals from technically  
8 qualified consultants who may be required to provide an independent analysis of the  
9 current BWI Airport governance and recommendations for alternatives for  
10 consideration by the Task Force.

11 (k) The Task Force shall make recommendations regarding:

12 (1) an appropriate governance structure for BWI Airport including any  
13 concerns or benefits to changing the current structure; and

14 (2) regulatory, administrative, or legislative changes needed to allow  
15 BWI Airport to function more efficiently and more like an independent business.

16 (l) The Task Force shall report its findings and recommendations to the  
17 Governor and, subject to § 2-1246 of the State Government Article, to the General  
18 Assembly on or before December 31, 2005.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 July 1, 2005. It shall remain effective for a period of 1 year and, at the end of June 30,  
21 2006, with no further action required by the General Assembly, this Act shall be  
22 abrogated and of no further force and effect.