

SB0979/739033/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 979
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “to” insert “the State Treasurer and”; in line 14, after “a” insert “proposed”; in the same line, strike “operating lease” and substitute “agreement”; in line 16, strike “operating lease” and substitute “agreement”; in line 17, after “Assembly” insert “within a certain time”; in line 18, strike “operating lease” and substitute “agreement”; in line 19, strike “commented” and substitute “had a certain period of time to review and comment”; in line 20, strike “lease” and substitute “agreement”; in line 22, strike “operating leases;” and substitute “agreements; requiring the Maryland Transportation Authority to submit a certain analysis of a proposed public-private partnership agreement to certain committees of the General Assembly within a certain period of time before entering into the agreement; prohibiting the Board of Public Works from approving a public-private partnership agreement that the Authority proposes to enter into until certain committees of the General Assembly have had a certain period of time to review and comment on the Authority’s analysis of the agreement;”; and in line 31, strike “Maryland Transportation”.

AMENDMENT NO. 2

On page 3, in line 6, strike “**LONG-TERM**”; in the same line, strike “**CONTRACTING AGENCY**” and substitute “**UNIT OF STATE GOVERNMENT**”; strike beginning with “**AND**” in line 11 down through “**COLLECT**” in line 12 and substitute “**OR A FACILITY FOR STATE USE AND WILL COLLECT FEES,**”; in line 15, after “A” insert “**SHORT-TERM OPERATING SPACE**”; in line 17, strike “**IF**” and substitute “**AND**”; in line 17, strike “**OR**”; in line 19, after “**ARTICLE**” insert “**; OR**”

(Over)

3. PUBLIC-PRIVATE PARTNERSHIP AGREEMENTS ENTERED INTO BY THE UNIVERSITY SYSTEM OF MARYLAND, WHERE NO STATE FUNDS ARE USED TO FUND OR FINANCE ANY PORTION OF A CAPITAL PROJECT;

after line 26, insert:

“(B) THE REQUIREMENTS OF THIS TITLE DO NOT APPLY TO THE MARYLAND TRANSPORTATION AUTHORITY OR TO A PUBLIC-PRIVATE PARTNERSHIP PROPOSED OR ENTERED INTO BY THE MARYLAND TRANSPORTATION AUTHORITY.”;

and in line 27, strike **“(B)”** and substitute **“(C)”**.

On page 4, in lines 6 and 22, strike **“(C)”** and **“(D)”**, respectively, and substitute **“(D)”** and **“(E)”**, respectively.

AMENDMENT NO. 3

On page 4, in line 8, after **“THE”** insert **“STATE TREASURER AND THE”**; in lines 11 and 22, in each instance, strike **“JULY”** and substitute **“JANUARY”**; in line 30, strike **“OPERATING LEASE ENTERED INTO”** and substitute **“AGREEMENT PROPOSED”**; in line 33, strike **“(1)”**; and in line 35, after **“SECTION”** insert **“WITHIN 30 DAYS AFTER THE STATE TREASURER RECEIVES A PROPOSED PUBLIC-PRIVATE PARTNERSHIP AGREEMENT FROM A UNIT OF STATE GOVERNMENT”**.

AMENDMENT NO. 4

On page 5, strike in their entirety lines 1 through 3, inclusive; in line 5, strike **“OPERATING LEASE UNDER”** and substitute **“AGREEMENT UNDER § 10-305 OR”**; in line 6, strike **“COMMENTED”** and substitute **“HAD 30 DAYS TO REVIEW AND COMMENT”**; in line 7, strike **“LEASE”** and substitute **“AGREEMENT”**; and in line 12, strike **“OPERATING LEASES”** and substitute **“AGREEMENTS”**.

AMENDMENT NO. 5

On page 7, in line 8, strike “LONG-TERM”; strike beginning with “AND” in line 13 down through “COLLECT” in line 14 and substitute “OR A FACILITY FOR STATE USE AND WILL COLLECT FEES,”; in line 17, after “A” insert “SHORT-TERM OPERATING SPACE”; in line 18, strike “IF” and substitute “AND”; and in line 30, strike “JULY” and substitute “JANUARY”.

AMENDMENT NO. 6

On page 8, in line 8, strike “JULY” and substitute “JANUARY”; and after line 11, insert:

“(E) NOT LESS THAN 30 DAYS BEFORE ENTERING INTO A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT, THE AUTHORITY SHALL SUBMIT TO THE BUDGET COMMITTEES, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, AN ANALYSIS OF THE IMPACT OF THE PROPOSED PUBLIC-PRIVATE PARTNERSHIP AGREEMENT ON THE AUTHORITY’S FINANCING PLAN, INCLUDING THE AUTHORITY’S OPERATING AND CAPITAL BUDGETS AND DEBT CAPACITY.

“(F) THE BOARD OF PUBLIC WORKS MAY NOT APPROVE A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT UNDER § 10-305 OR § 12-204 OF THE STATE FINANCE AND PROCUREMENT ARTICLE THAT THE AUTHORITY PROPOSES TO ENTER INTO UNTIL THE BUDGET COMMITTEES HAVE HAD 30 DAYS TO REVIEW AND COMMENT ON THE AUTHORITY’S ANALYSIS OF THE AGREEMENT REQUIRED UNDER SUBSECTION (E) OF THIS SECTION.”.

AMENDMENT NO. 7

On page 9, in line 11, strike “Budget and Management” and substitute “Transportation, Department of General Services,”; in line 21, strike “definition of”

and substitute “definitions of “public notice of solicitation” and”; in line 22, strike “definition” and substitute “definitions”; and in line 23, in each instance, strike “its” and substitute “their”.

On page 11, in line 29, after “years” insert “and 1 month”; and in line 30, strike “May 31, 2012” and substitute “June 30, 2012”.