

SENATE BILL 818

R1
SB 520/11 – FIN

2lr1471

By: **Senators Pipkin, Astle, Brinkley, Colburn, and Getty**
Introduced and read first time: February 3, 2012
Assigned to: Finance

Committee Report: Favorable
Senate action: Adopted
Read second time: March 22, 2012

CHAPTER _____

1 AN ACT concerning

2 **Transportation – Chesapeake Bay Bridge Crossing – Environmental Impact**
3 **Study for a Third Span**

4 FOR the purpose of explicitly stating the power of the Maryland Transportation
5 Authority to conduct or coordinate a study of the environmental impact of a
6 proposed transportation facility; requiring the Maryland Transportation
7 Authority, in collaboration with certain other agencies, to commence the
8 process, on or before a certain date, to conduct and complete an Environmental
9 Impact Study for a third crossing of the Chesapeake Bay; requiring that the
10 Environmental Impact Study be for a span at a certain location; and generally
11 relating to an Environmental Impact Study for a third span of the Chesapeake
12 Bay.

13 BY repealing and reenacting, with amendments,
14 Article – Transportation
15 Section 4–205
16 Annotated Code of Maryland
17 (2008 Replacement Volume and 2011 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Transportation**

21 4–205.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) Subject to § 4–306 of this title and in addition to the powers otherwise
2 specifically granted by law, the Authority has the powers described in this section.

3 (b) The Authority may acquire, hold, and dispose of property in the exercise
4 of its powers and performance of its duties.

5 (c) (1) Subject to the limitations described in paragraph (2) of this
6 subsection, the Authority may make any contracts and agreements necessary or
7 incidental to the exercise of its powers and performance of its duties.

8 (2) Not less than 45 days before entering into any contract or
9 agreement to acquire or construct a revenue-producing transportation facilities
10 project, subject to § 2–1246 of the State Government Article, the Authority shall
11 provide, to the Senate Budget and Taxation Committee, the House Committee on
12 Ways and Means, and the House Appropriations Committee, for review and comment,
13 and to the Department of Legislative Services, a description of the proposed project, a
14 summary of the contract or agreement, and a financing plan that details:

15 (i) The estimated annual revenue from the issuance of bonds to
16 finance the project; and

17 (ii) The estimated impact of the issuance of bonds to finance the
18 project on the bonding capacity of the Authority.

19 (d) (1) Subject to paragraph (2) of this subsection, the Authority may
20 employ and fix the compensation of attorneys, consulting engineers, accountants,
21 construction and financial experts, superintendents, managers, and any other agents
22 and employees that it considers necessary to exercise its powers and perform its
23 duties. The compensation established by the Authority for executive management
24 positions shall be consistent with the compensation of comparable positions in the
25 Department of Transportation. The compensation established by the Authority shall
26 be reported to the General Assembly each year as part of the Authority's presentation
27 of its budget.

28 (2) The expense of employing these persons may be paid only from
29 revenues or from the proceeds of revenue bonds issued by the Authority.

30 (e) The Authority may apply for and receive grants from any federal agency
31 for the planning, construction, operation, or financing of any transportation facilities
32 project and may receive aid or contributions of money, property, labor, or other things
33 of value from any source, to be held, used, and applied for the purposes for which the
34 grants, aid, and contributions are made.

35 (f) The Authority may adopt rules and regulations to carry out the
36 provisions of this title.

1 (g) The Authority may do anything else necessary or convenient to carry out
2 the powers granted in this title, **INCLUDING CONDUCTING OR COORDINATING A**
3 **STUDY OF THE ENVIRONMENTAL IMPACT OF A PROPOSED TRANSPORTATION**
4 **FACILITY.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That, acting on behalf of the
6 Maryland Department of Transportation, on or before January 1, 2013, the Maryland
7 Transportation Authority, in collaboration with the Maryland Department of the
8 Environment, the Maryland Department of Natural Resources, the United States
9 Environmental Protection Agency, and any other relevant federal agency, shall take
10 the steps necessary to commence the process to conduct and complete an
11 Environmental Impact Study for a third bridge to span the Chesapeake Bay that is
12 located either:

13 (1) adjacent to the existing dual bridges spanning the Chesapeake Bay
14 between Anne Arundel County, Maryland, and Kent Island, Queen Anne’s County,
15 Maryland; or

16 (2) at other locations in Maryland with termini on the Western and
17 Eastern shores that are determined to be environmentally and economically feasible
18 by the Maryland Department of Transportation.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.