

LD 506, An Act to Improve Public-Private Transportation Partnerships,
sponsored by Rep. Ralph Chapman (D-Brooksville),
cosponsored by Sen. Paul Davis (R-Piscataquis)

Concept:

[LD 506](#)¹ completely eliminates unsolicited proposals from the Public-Private-Partnership (PPP) Law and explicitly states that the [Public-Private-Partnership Law for Transportation Projects](#)² must be consistent with the [Maine Sensible Transportation Policy Act](#)³.

Talking points:

- This bill does not change, limit, or restrict the Maine Department of Transportation's ability to develop a PPP for transportation infrastructure.
- This bill closes a loophole in the existing law by ensuring that all proposals to develop a PPP for transportation infrastructure would be initiated by the MDOT, and therefore would be consistent with public need, state planning, and existing laws.
- This bill preserves State control, oversight, and accountability for transportation planning and infrastructure development.
- This bill clarifies and preserves MDOT authority to represent the interests of the people of Maine.
- A private entity should not have the power to initiate proposals for new transportation infrastructure that is estimated to exceed \$25,000,000 in initial capital cost, or that places tolls on new transportation facilities or on existing ones that were not previously subject to tolls.
- This bill prevents waste of taxpayer money. Taxpayers should not be funding the time and resources of MDOT staff who must interface with the public, and possibly the developer, about unsolicited proposals that aren't grounded in State planning.
- The legislature must act to pass LD 506 and related legislation, LR 373, before there is any foreign investment in a public-private-partnership or private proposal to build a transportation corridor in order to avoid triggering the "investor-to-state" provision of trade agreements which gives foreign investors the right to sue the state in order to protect their "right" to future profits.
 - Cianbro officials have stated that the Corridor would be owned and operated by at least one of twenty-two international investment firms.
- The need for this bill became apparent when the EWC proposal came to the table.
- The bill explicitly states that the PPP follows the Sensible Transportation Policy Act, protecting the public interest by ensuring transparency, public oversight, and other safeguards currently missing from the PPP.

¹ <http://www.mainelegislature.org/legis/bills/getPDF.asp?paper=HP0345&item=1&snum=127>

² Maine Revised Statutes Title 23, Part 5, Chapter 410, subchapter 5, subsection 4251. Public-private partnerships; transportation projects

³ Maine Revised Statutes Title 23, Part 1, Chapter 3, subchapter 1, subsection 73. Sensible Transportation Policy Act