

WILLIAM DONALD SCHAEFER, Governor

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 576.

House Bill 576 requires that the public be notified and given the opportunity to comment, prior to a final commitment being made, on architectural and engineering services for capital projects which cost in excess of \$100,000. The required notification is to be published in a newspaper of general circulation in the area where the capital project will be built and the public comment period is 30 days.

I have two major concerns about this legislation. First, the notification requirement duplicates current law and existing COMAR regulations. The General Professional Services Selection Board is currently required to publish, on a reasonable and timely basis, any architectural and engineering services required for a State funded capital project. By regulation, the Board is also required to announce any requests-for-proposals in the Maryland Register and other appropriate publications. To comply with those provisions, the Board advertises architectural and engineering services which it administers in both the Maryland Register and the Daily Record.

Second the requirement that the public be allowed to comment on the selection of architectural and engineering services is inappropriate. The selection of architects and engineers is a complicated and technical process that I believe should be delegated exclusively to qualified professionals. The public's opportunity to be involved is during the project approval stage. All capital projects requiring architectural and engineering services are included in the Governor's Budget Request, are reviewed by the Senate Budget and Taxation and the House Appropriations Committees, and are approved by the General Assembly. During the Committees' review process public hearings are held and comments are solicited from the legislature, government officials, and the public-at-large. Notices of the public hearings are announced in local newspapers throughout the State and appear in publications of the General Assembly.

Although the intent of House Bill 576 is admirable, the legislation would require the General Professional Services Selection Board to perform a number of unnecessary tasks and to incur unnecessary advertising expenses.

For those reasons, I have decided to veto House Bill 576.

Sincerely,
William Donald Schaefer
Governor

House Bill No. 576

AN ACT concerning

Public Improvements – Public Notice and Opportunity for Comment

FOR the purpose of requiring that the public be given notice of and an opportunity to comment on ~~proposed designs or certain design revisions~~ certain proposals for public improvements ~~before completion or acceptance of the design or revision~~ by the State or a State agency; ~~specifying that a certain time period for written public~~