

ROADS ARE BEING OR HAVE BEEN CONSTRUCTED OR IMPROVED WITH FUNDS OBTAINED PURSUANT TO THE FEDERAL HIGHWAY ACT, INCLUDING A REQUIREMENT THAT THE LOCAL HIGHWAY AUTHORITY APPROVE UTILITY LOCATION CONSTRUCTION PLANS, AND REQUIRING SUCH APPROVAL TO BE SHOWN ON THE PLANS BEFORE PLACING OR CONSTRUCTING SUCH FACILITIES AND LINES AND FURTHER DIRECTING THE COMMISSION AND THE LOCAL HIGHWAY AUTHORITIES TO WORK WITH THE APPROPRIATE FEDERAL AUTHORITIES IN SUCH SITUATIONS SO AS TO PROMOTE ECONOMICAL AND ENGINEERINGLY COMPATIBLE UTILIZATION OF SUCH HIGHWAYS AND ROADS, AND TO ALLOW FOR PROVIDING RIGHT OF WAY SPACE FOR SUCH FACILITIES IN THE EVENT THE USE OF THE HIGHWAY RIGHT OF WAY MAY BE DISAPPROVED.

May 7, 1968.

Honorable Marvin Mandel
Speaker of the House of Delegates
State House
Annapolis, Maryland

Dear Mr. Speaker:

In accordance with Section 17 of Article II of the Maryland Constitution, I have vetoed today House Bill 50 and am returning it to you.

This bill would transfer the control of utilities along certain roads in Prince George's County and Montgomery County from the Washington Suburban Sanitary Commission to the County Governments.

While seldom is it valid to consider the legislative progress of an act, I believe that in this case it is necessary. The bill was introduced on January 18 and was lodged in Committee until March 23, three days before the end of the legislative session. At that time it emerged bearing no resemblance to the original measure, the entire body of the bill having been changed. No hearings were held during the legislative session on the bill, and while this is quite understandable in many cases, the drastic effect this bill could have on the public utility companies operating in this State would seem to demand a hearing in this instance. Notice was not given to the Public Service Commission either, although there is little doubt that the Commission should certainly be involved in any attempt to legislate in this area.

As a result of the above, neither the Utility Companies nor the Public Service Commission were aware of the provisions of the bill until days after the end of the legislative session. It is clear that the bill affects the companies in such a way that compliance on their part would be difficult, if not impossible. Likewise it is evident that the Utilities' rights to use highway right of ways would be curtailed