

This bill provides that the State Roads Commission shall each year, by October 1 and in election years by November 13, report to and brief the Montgomery County State Delegates, Senators, County Executive and County Council on the highway construction and reconstruction program for that County. This bill further requires that the State Delegates, Senators, County Executive and County Council conduct a public hearing on the program with at least one Commission representative in attendance.

The Chairman of the State Roads Commission has written to me, requesting that I veto the bill. His objections to the bill, as set forth in his letter, are as follows:

"We believe it unlikely that this proposed Bill would remain limited to only one county. At a minimum, all of the metropolitan counties would probably desire equal consideration. Since the legislation implies a desire for rather detailed data on each and every subject, including maps and diagrams, with costs and comments on traffic and social and environmental impacts, added personnel and additional expenditures will be required."

"The scheduling of the annual review of the Highway Construction Program with the County Delegation and the format of the presentation are items which we feel can be worked out by agreement with the Secretary of Transportation just as effectively as through legislation. The holding of public hearings on the program would appear to be entirely a matter of determination by the County Delegation and one which they, the Council and the County Executive would prefer not to have determined and fixed as to the time by legislative action."

"Heretofore, the estimate of highway user revenues available to the State Roads Commission for development of its budget were generally not available until about October of each year. With other agencies, such as the Commissioner of Motor Vehicles and the State Police, totally or partially financed from highway user revenues, their budget needs had to be determined before a determination could be made as to the balances which would be available for use by the State Roads Commission. Only then could an allocation be made to each of the Counties and a program of State highway improvements matching the allocations be prepared. With 23 Counties involved it became impractical to have programs developed by October 1 of each year."

"Considering that all transportation agencies are being combined under the State Department of Transportation with responsibility for developing a balanced transportation plan and establishing priority of needs for the various modes of transportation and recognizing that new budgeting procedures for each of the transportation agencies will be involved, it would appear unrealistic and premature to attempt to legislate a time schedule and procedure for annual review and discussion of the construction program with each of the Counties."

In view of the foregoing, I have decided to comply with the request of the Chairman and veto House Bill 863.

Sincerely,

/s/ MARVIN MANDEL,

*Governor.*