



DEPARTMENT OF LEGISLATIVE SERVICES
OFFICE OF POLICY ANALYSIS
MARYLAND GENERAL ASSEMBLY

Warren G. Deschenaux
Executive Director

December 1, 2016

The Honorable Roger Manno
Chairman, Joint Committee on Administrative, Executive, and Legislative Review
102 James Senate Office Building
11 Bladen Street
Annapolis, Maryland 21401

The Honorable Samuel I. Rosenberg
Chairman, Joint Committee on Administrative, Executive, and Legislative Review
365 House Office Building
6 Bladen Street
Annapolis, Maryland 21401

Dear Chairman Manno and Chairman Rosenberg:

This letter is intended to clarify the recent revision to the fiscal and policy note for Chapter 36 of 2016 (House Bill 1013 – Maryland Open Transportation Investment Decision Act of 2016). In the fiscal and policy note for the enrolled bill (dated April 5, 2016), the Department of Legislative Services (DLS) indicated in the Local Effect section of the Fiscal Summary that local government expenditures *may* increase to evaluate any projects the local government plans to propose to the Maryland Department of Transportation (MDOT) for inclusion in the *Consolidated Transportation Program* (CTP) to ensure that they align with the transportation goals and measures established by and under the bill.

DLS recently became aware that the Local Effect section of the fiscal and policy note was being interpreted by some to mean that Chapter 36 requires local governments to conduct additional analyses prior to proposing projects to MDOT for inclusion in the CTP. This is not what was intended by DLS. In fact, in the *Effect of the 2016 Legislative Program on the Financial Condition of the State* report (July 2016), DLS indicated that House Bill 1013 of 2016 did *not* impose a mandate on local governments.

Because the language in the fiscal and policy note dated April 5, 2016, was ambiguous, DLS revised the fiscal and policy note on November 10, 2016, in an effort to clarify our intent. Specifically, the Act does not impose any additional responsibilities on local governments and does not *require* additional expenditures. However, some local governments may choose to conduct additional analyses as a result of the establishment of the transportation goals and measures. To the extent that local jurisdictions choose to do so, local expenditures *may* increase.

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I trust that this letter clarifies the reason for the recent revision to the fiscal and policy note for Chapter 36. If you have any additional questions or concerns, please do not hesitate to contact me at (410) 946-5510.

Sincerely,

A handwritten signature in cursive script that reads "Lesley G. Cook". The signature is written in black ink and is positioned above the printed name.

Lesley G. Cook
Senior Manager, Fiscal and Policy Notes
Department of Legislative Services

LGC/kmb

cc: Mr. Warren G. Deschenaux
Ms. Victoria Gruber
Ms. Alexandra Hughes
AELR Committee members