

May 28, 2021

The Honorable Adrienne A. Jones
Speaker of the House of Delegates
H-101 State House
Annapolis, MD 21401

The Honorable Bill Ferguson
President of the Senate
H-107 State House
Annapolis, MD 21401

Dear Speaker Jones and President Ferguson:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed House Bill 1091 and Senate Bill 829 – *State Procurement – Emergency and Expedited Procurements – Revisions and Reporting*.

From the moment I declared a State of Emergency and the Existence of a Catastrophic Health Emergency on March 5, 2020, the absolute top priority of my Administration has been to save lives – and in our continued fight against the COVID-19 pandemic, our great State now has administered more than six million vaccinations, a significant milestone in defeating this deadly virus. This time last year, however, the landscape before us was very different; faced with many frightening unknowns and up against an unprecedented global competition for scarce resources, protecting the health, welfare, and safety of Marylanders required immediate and decisive action. When hours and even seconds counted, delays in the emergency procurement process most certainly would have prevented our State from acquiring life-saving medical supplies and services.

When navigating the dangers of an emergency, time becomes a luxury at the possible expense of public health, safety, or welfare, and State law currently recognizes the importance of time saving measures that transcend normal procurement practices. Unfortunately, House Bill 1091 and Senate Bill 829 would add red tape to complicate and to decelerate the emergency procurement process, thus inhibiting the State's ability to avoid or mitigate serious damage. This legislation also mandates additional layers of approval, onerous paperwork, and expanded reporting requirements that will result in administrative burdens at times when the primary focus should be protecting the citizens of Maryland.

A strict standard for the use of emergency procurements currently exists; by combining it with the oversight and reporting requirements already in place, this balanced and common sense approach provides State agencies with the flexibility to act quickly while ensuring transparency and accountability. Whether the emergency is caused by a global pandemic, damaged highway infrastructure, equipment failure, or extreme weather conditions, all public threats must be managed without hesitation. If enacted, House Bill 1091 and Senate Bill 829 will delay emergency procurements – and when time is most critical, lengthening the emergency procurement process simply does not make sense.

For these reasons, I have vetoed House Bill 1091 and Senate Bill 829 – *State Procurement – Emergency and Expedited Procurements – Revisions and Reporting*.

Sincerely,

Lawrence J. Hogan, Jr.
Governor