



THE MARYLAND GENERAL ASSEMBLY
ANNAPOLIS, MARYLAND 21401-1991

JOINT COMMITTEE ON FEDERAL RELATIONS

December 16, 2021

The Honorable Bill Ferguson, Co-Chair
The Honorable Adrienne A. Jones, Co-Chair
Members of the Legislative Policy Committee

Ladies and Gentlemen:

During the 2021 interim, the Joint Committee on Federal Relations (1) participated in a joint briefing with the Senate Budget and Taxation Committee, the House Appropriations Committee, and the Joint Committee on the Management of Public Funds on federal American Rescue Plan Act of 2021 (ARPA) funding; (2) undertook its annual review of a portion of the interstate compacts of which Maryland is a member; and (3) worked on two supplemental interstate compact-related efforts. These activities are summarized below.

September 22 Briefing

The joint committee participated, along with the Joint Committee on the Management of Public Funds, in a September 22 briefing led by the Senate Budget and Taxation Committee and the House Appropriations Committee. The briefing focused on ARPA funding and included remarks and presentations from (1) U.S. Senator Benjamin L. Cardin and Senator Christopher J. Van Hollen, Jr.; (2) representatives from the Department of Budget and Management (DBM); and (3) a representative from the Maryland Association of Counties (MACo).

Senator Cardin and Senator Van Hollen discussed both federal pandemic-related funding that had been enacted, particularly ARPA, as well as legislation that was being considered in Congress at the time of the briefing and how it could affect Maryland.

DBM provided a detailed explanation of the categories and allowable uses of Maryland's portion of the ARPA funding, how the spending of the funding was being implemented and reported on, and how certain changes related to the funding, including updated federal guidance, were being addressed. The department also responded to questions from a number of members who raised concerns about specific populations and entities in need of assistance and whether the State and local governments were making timely and effective use of available federal funding in specific policy areas.

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MACo discussed the ARPA funding from the counties' perspective, addressing the various uses and purposes of the funding, how counties were administering the distribution of funding and some of the challenges of those efforts, and the progress counties had made.

Annual Interstate Compact Review

The joint committee conducts an annual review of Maryland's membership in various interstate compacts, covering all compacts over a four-year cycle. The review focuses on whether Maryland's continued membership in the compacts serves the interests of the State and whether any legislative changes to the compacts are needed. This interim, the joint committee staff sent questionnaires to the State agencies involved with each of the compacts and prepared summaries based on the agencies' responses for the following compacts up for review this year: (1) the Appalachian States Low-Level Radioactive Waste Compact; (2) the Interstate Corrections Compact; (3) the Interstate Agreement on Detainers; (4) the National Crime Prevention and Privacy Compact; (5) the Driver's License Compact; (6) the Metrorail Safety Commission Interstate Compact; (7) the Interstate Compact on Educational Opportunity for Military Children; (8) the Interstate Insurance Product Regulation Compact; and (9) the National Racing Compact.

The State agencies involved with each of these compacts indicated that Maryland's membership in the compacts continues to serve the interests of the State and no legislative changes are necessary.

Supplemental Interstate Compact-related Efforts

Potomac River Compact

The Potomac River Compact governs the Potomac River Fisheries Commission, which regulates fisheries in the mainstem tidal Potomac River. The joint committee staff have been working since the 2018 interim to try to resolve inconsistencies between the statutes in Maryland and Virginia with regard to whether certain changes to the Potomac River Compact are in effect or not. The inconsistencies between the statutes in Maryland and Virginia arose from contingencies included in 2007 and 2013 legislation in both states.

The joint committee staff communicated with staff of Virginia's Division of Legislative Services (DLS) this interim, and it appears that the inconsistencies may be able to be resolved in Virginia's statute through modifications made by Virginia's DLS. In Maryland, however, the joint committee staff and the Department of Legislative Services staff concluded in 2019 that legislation is needed to clarify the inconsistencies in the Maryland statute. We are planning to introduce legislation in the 2022 session, which, along with the efforts to modify Virginia's statute, should largely if not fully resolve the inconsistencies.

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Potomac River Bridges Towing Compact

The Potomac River Bridges Towing Compact between Maryland, Virginia, and the District of Columbia allows for concurrent law enforcement jurisdiction on the bridges subject to it, allowing law enforcement from either side of a bridge to facilitate quick clearance of disabled or abandoned vehicles that otherwise would cause significant traffic problems. The Arland D. Williams, Jr. Memorial Bridge was recently added to the compact by Maryland ([Ch. 89 of 2020](#)) and the District of Columbia ([D.C. Law 23-114](#)) but has not yet been added by Virginia.

The addition of the bridge to the compact has not yet taken effect in Maryland because it is contingent on Virginia enacting it along with Maryland and the District of Columbia. We sent a letter to certain legislators in Virginia (the sponsor of recent Virginia legislation adding other bridges to the compact and the chairs of the transportation committees) asking if they would consider introducing and/or facilitating passage of legislation in the Virginia 2022 session to add the Arland D. Williams, Jr. Memorial Bridge to the compact. We received confirmation from one of the legislators, indicating that they plan to introduce the legislation in the 2022 session.

Sincerely,



Senator Jill P. Carter
Senate Chair



Delegate Alfred C. Carr, Jr.
House Chair

JPC:ACC/SDK/km

cc: Sally M. Robb
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