

Worcester County is in the process of planning the construction of a sewage treatment plant on the mainland side of Sinepuxent Bay. Because of the prohibition against construction activity set forth in Section 8-1105.0 of the Natural Resources Article, it appears that placement of a discharge pipe across the beach erosion control district is not permissible.

As introduced, House Bill 848 was intended to provide statutory authority for such a discharge pipe. The bill was amended extensively during the legislative process and, unfortunately, as finally passed, raises more questions than it answers. For instance, the pipe is required to be 36 inches in size; there is no provision for discretion to reduce the size of the pipe. Moreover, the amended bill seems to require a determination by the Secretaries of Health and Mental Hygiene, Natural Resources, and State Planning that "no economically and practicably feasible alternative to the project exists and that environmental disruption will not occur" before the pipe may be constructed. This language is extremely vague, and it would be virtually impossible to demonstrate that no alternative exists and that environmental disruption will not occur; thus, any approval granted by the State agencies under these standards would surely invite judicial challenge.

For these reasons I have decided to veto House Bill 848.

Sincerely,  
Harry Hughes  
Governor

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House Bill No. 855

AN ACT concerning

Legislative Employees

FOR the purpose of clarifying the term "legislative employee" and providing standard employment benefits and pension credit for all Maryland Legislative employees.

May 29, 1979

Honorable Benjamin L. Cardin  
Speaker of the House of Delegates  
State House  
Annapolis, Maryland 21404