At the same time, I know that local governments throughout the State are facing a crisis situation as they attempt to deal with waste disposal. In increasing numbers, landfills are reaching capacity, and in many cases have closed. Incineration is an expensive and difficult alternative in many communities, and like landfills, raises many environmental concerns.

I am also not unmindful of the difficulties faced by some jurisdictions in securing sufficient revenues to meet the many fiscal demands of their citizens.

House Bill 731 in its original form would have prohibited the imposition of a beverage container tax in all 24 jurisdictions of the state. However, only Montgomery County, Baltimore City, and Baltimore County presently have omnibus taxing authority. The other 21 counties, including all commission counties, all code home rule counties, and the remaining charter home rule counties, are not now authorized to impose a container tax. Because the bill was amended to in practical terms specifically exempt Montgomery County's and Baltimore City's container taxes, and limit only Baltimore County from imposing a tax that its local elected officials feel is appropriate for that jurisdiction, the bill strikes me as a particularly offensive interference by the State with the affairs of a single county.

Baltimore County, along with Baltimore City and other jurisdictions, faces difficult budget decisions in the months ahead. While House Bill 731 does not affect the fiscal year 1991 budget for Baltimore County, I feel it would be wrong to deprive the County of the ability to raise these revenues in future years. It is also clear that the end of container tax in Baltimore County would make it virtually impossible for Baltimore City to collect its container tax.

Those who advocate a veto of House Bill 731 argue that it is a violation of the spirit of home rule, and that it is an invasion and intrusion on local government operations. While the bill may pass constitutional standards, I cannot help but agree with the legislator who described the bill as "a totally undue interference with local government ...". House Bill 731 does interfere greatly with a single local government's ability to manage its own affairs and to determine its own solutions to difficult problems. As a former local government official, I believe very strongly that state government should not intrude on the ability of a jurisdiction to govern itself. Signing this legislation would violate that belief.

Given that House Bill 731 does not invalidate any tax until July 1, 1991, this entire debate may well provide to be unnecessary. I understand that the Baltimore County Council has, on its own initiative, decided to continue the container tax for only the first six months of the new fiscal year. If that is the case, the County would have terminated the container tax a full six months before the prohibition in House Bill 731 would take effect. Nevertheless, this is a decision that the County must be allowed to make on its own authority.

Notwithstanding the concerns I may have about the fairness and equity of container taxes, because I believe that the bill represents a clear intrusion into the affairs of a local government, I am today vetoing House Bill 731.