

EXECUTIVE DEPARTMENT

Annapolis, Md., May 7, 1968.

The Honorable Marvin Mandel
Speaker of the House of Delegates
State House
Annapolis, Maryland

Dear Mr. Speaker:

In accordance with Section 17 of Article II of the Maryland Constitution, I have vetoed today House Bill 807 and am returning it to you.

This bill would provide for the progressive exemption of stock in business from taxation in Anne Arundel County. I am informed by the Attorney General that the bill is lacking in form and legal sufficiency. For the reasons given in the attached copy of his opinion, which is to be considered a part of this message, I am compelled to veto the measure.

Sincerely,

/s/ Spiro T. Agnew,
Governor.

THE ATTORNEY GENERAL

Baltimore, Md., April 25, 1968.

Honorable Spiro T. Agnew
Governor of Maryland
State House
Annapolis, Maryland 21401

Re: House Bill No. 807

Dear Governor Agnew:

As requested I have reviewed House Bill No. 807 for constitutionality and legal sufficiency. The proposed bill purports to amend Section 15(d) of Article 81 of the Annotated Code of Maryland to provide for the progressive exemption of stock in business from taxation in Anne Arundel County after December 31, 1968.

In my opinion this bill is not legally sufficient because it is contradictory on its face. The amending language of the bill first provides:

"For the taxable year beginning January 1, 1969, for the purpose of county taxation in Anne Arundel County, such stock shall be assessed at thirty-three and one-third per centum (33 $\frac{1}{3}$ %) of such fair average value for the twelve months preceding the date of finality, to be phased out over a three year period."

It is then provided that from and after January 1, 1970, for the purpose of county taxation in Anne Arundel County, stock in business "shall be entirely exempt from valuation, assessment, and taxation under the provision of this section."

It is evident that the portion of the bill providing for a three year phase out for assessment purposes on stock in business commencing January 1, 1969, is contradictory to that portion of the bill which provides that from and after January 1, 1970, stock in business shall be exempt