

enactment or by executive order subject to approval by the General Assembly, and clarifying the language therein.

May 31, 1974.

Honorable John Hanson Briscoe
Speaker of the House of Delegates
State House
Annapolis, Maryland 21404

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 578.

This bill prohibits any change in the inflation allowance determined for purposes of real property assessment except by legislative enactment or by executive order subject to prior approval of the General Assembly.

Section 14(b) (1) of Article 81 of the Annotated Code of Maryland requires that real property be assessed at its full cash value on the day of finality, which Section 29A of Article 81 declares to be January 1 of each year. The term "full cash value" is defined in Section 14(b) (1) as current value less an allowance for inflation, if in fact inflation exists. Thus, the inflation allowance must be determined prior to January 1.

At present, as part of the jurisdiction granted by Section 232 of Article 81, the Director of the State Department of Assessments and Taxation determines the inflation allowance. House Bill 578 would, in effect, remove this responsibility from the Director and place it in the General Assembly.

My objections to the bill are twofold. First, absent a special session, the General Assembly does not convene until after January 1; and it would therefore be impossible to effectuate a change in the inflation allowance for eighteen months after a determination is made that such a change is necessary. Such inflexibility is hardly a desirable goal, particularly in times of abnormal inflation or deflation. Second, even to the extent that such delay and rigidity can be overcome by calling the General Assembly into special session, I am not convinced that the responsibility for determining whether, and precisely to what degree, inflation exists each year is an appropriate one for the collective judgment of 188 people.

The Director of the Department must, of necessity, keep abreast of economic trends in his daily work. He