

Honorable Steny H. Hoyer
President of the Senate
State House
Annapolis, Maryland

Dear Mr. President:

In accordance with Article II, Section 17, of the Maryland Constitution, I have today vetoed Senate Bill 586.

This bill enacts the Coastal Facilities Review Act and creates a comprehensive State permit procedure for reviewing the design, construction, and utilization of certain oil and gas facilities within Maryland's coastal area.

House Bill 319, enacted by the General Assembly, and signed by me on May 15, 1975, accomplishes the same purposes as Senate Bill 586, and contains certain significant provisions which are not included within Senate Bill 586.

Although both bills provide for a consolidated application process, House Bill 319 provides that all units and departments of State government shall cooperate in the permit process, a provision which should serve to expedite the application process. In addition, House Bill 319 provides for expedited judicial review in cases where the Secretary's action on an application is challenged. Such provisions should contribute to eliminating unnecessary delay in the permit process, a significant concern to industry as well as to the citizens of this State. House Bill 319 also provides the Department of Natural Resources with the right periodically to inspect coastal facilities construction to insure compliance with permit requirements, a feature lacking in Senate Bill 586.

There are several other notable differences between the two bills. House Bill 319 provides that "county" governments should be involved in coastal area planning and may initiate judicial review of actions by the Secretary of Natural Resources on permit applications. Senate Bill 586 uses the undefined and less specific term "local" government. As coastal areas are comprised of certain certified counties, House Bill 319 more clearly defines the legislative intent of the above provisions.

A further distinction between the two bills concerns the enforcement mechanism for violations of the Act. Under House Bill 319, enforcement is restricted to the Department of Natural Resources acting through the Attorney General, who is given the authority to seek an injunction as well as to recover a civil penalty of up to