

Executive agencies provide to individual members of the General Assembly specific information requested by them. The agency is authorized to delete material identifying individuals in order to protect their privacy, "so long as the deletions do not substantially impair the usefulness of the information." The agency may, in addition, deny the request if its chief executive officer determines that disclosure would do "substantial injury to the public interest." The bill further provides that, if an agency denies a request for information, the house of which the initiator of the request is a member may subpoena the information, and if the Legislature is not then in session, the Legislative Council may issue the subpoena.

My objections to the bill are that, in part it is inconsistent with Senate Bill 555, which I signed into law on May 4, 1976, and that, in light of that bill, the existing Constitutional powers of the General Assembly to compel the attendance of witnesses and the production of records while it is in session, and the State Public Information Act, Senate Bill 286 is unnecessary.

The inconsistency between Senate Bill 286 and Senate Bill 555 arises from the fact that the latter bill abolished the Legislative Council, and replaced it with the Legislative Policy Committee and the continued existence and vitality of the standing committees of the General Assembly during the interim between sessions.

It is a rare occasion indeed that information requested by a member of the Legislature from an Executive agency is not given for any reason not recognized in Senate Bill 286. Should such an occasion arise, however, the member individually may pursue the remedies set forth in the Public Information Act (Article 76A of the Code). In addition, if the Legislature is then in session, it has ample authority to compel the information. If the Legislature is not in session, under Senate Bill 555, any standing committee, with the approval of the Legislative Policy Committee, may issue a subpoena. Thus, the entire purpose and effect of Senate Bill 286 is achieved through existing law, as supplemented by Senate Bill 555.

For these reasons, I have vetoed Senate Bill 286.

Sincerely,
Marvin Mandel
Governor
