

Senate Bill No. 1181 - Kent County - Liquor Control Board

AN ACT concerning

Kent County - Liquor Control Board

FCR the purpose of providing that the members of the Kent County Liquor Control Board are to be appointed by the ~~County Commissioners~~ Governor with the advice and consent of the House of Delegates; changing the compensation received by members of the liquor control board; providing that the board may select its own attorney; relating generally to the Kent County Liquor Control Board; and clarifying language.

May 29, 1978

Honorable Steny H. Hoyer
President of the Senate
State House
Annapolis, Maryland 21404

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 1181.

The title of this bill states that it effects changes in the provisions for appointment of the Kent County Liquor Board, provides for compensation of the members, and provides for selection of an attorney for the Board.

The bill, in fact, substantively changes the provisions that relate to the liquor control boards of Somerset, Harford, and Montgomery counties. The Attorney General has advised me that these changes are in contravention of the Constitution. His Opinion states, in part, that "Since none of these changes are even remotely alluded to in the bill's title, they are constitutionally impermissible as contravening Article III, Section 29 of the Constitution and may not be given effect."

The Attorney General further advised me that the provisions of Senate Bill 1181 are severable and that the changes for Kent County could be given effect and the other changes would not.

The result of this action, however, would be unnecessary confusion about the applicable law in Somerset, Harford and Montgomery counties with respect to their liquor control board.

A copy of the Opinion of the Attorney General is attached and should be considered as a part of this veto message.