

FOR the purpose of prohibiting the construction of commercial or industrial facilities within 25 feet of an access road to a ~~State transportation~~ Maryland Transportation Authority facility.

May 29, 1978

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 70.

This bill prohibits the construction of commercial or industrial facilities within 25 feet of the access road to a Maryland Transportation Authority facility.

During the legislative process, an amendment was adopted to the bill to prohibit the construction of such facilities within 25 feet of the access road without the approval of the AELR Committee.

The Attorney General has advised that the effect of this amendment is to render House Bill 70 unconstitutional. The basis for this decision is that the bill, as amended, constitutes an impermissible attempt to delegate a law-making function to the AELR Committee. This delegation contravenes the requirement that laws be made by a majority of both Houses of the General Assembly, subject to the veto power of the Governor. A copy of the Opinion of the Attorney General is attached and should be considered a part of this veto message.

For this reason, I have decided to veto House Bill 70.

Sincerely,
Blair Lee III
Acting Governor

Letter from State Law Department on House Bill No. 70

May 25, 1978

Honorable Blair Lee, III
Acting Governor of Maryland
State House
Annapolis, Maryland 21404

Re: House Bill 70