

The AELR Committee currently exercises a critical function of government. Since 1972 it has provided the needed review of the day-to-day implementation of its policy decisions as set forth in State law. I have the utmost respect for this Committee and the role which it performs. However, I greatly fear the erosion of the Constitutional balance of power which the enactment of this bill, in my judgment, clearly creates.

For these reasons, I have decided to veto House Bill 619.

Sincerely,
Blair Lee III
Acting Governor

Letter from State Law Department on House Bill No. 619.

May 26, 1978

Honorable Blair Lee, III
Acting Governor of Maryland
State House
Annapolis, Maryland 21401

Re: House Bill 619

Dear Governor Lee:

House Bill 619 has passed the General Assembly and been submitted to us for review and comment as to its constitutionality. In general, this bill would provide a statutory mechanism whereby the Joint Standing Committee on Administrative, Executive, and Legislative Review (AELR) ¹ would have the ability to disapprove proposed administrative regulations, subject to an ultimate "override" by joint resolution of the General Assembly. Such oversight mechanisms are rooted in the English "laying system,"² are characterized as "legislative veto" provisions and have been couched in a variety of forms,³ for a variety of purposes.⁴ Their wisdom and their constitutionality have been the subject of an increasing amount of comment and controversy at both the federal and state levels.⁵

On the federal level,

"[i]t began in earnest in 1932, when Congress gave the legislative branch a veto power over executive reorganization plans. Since then, over 125 separate statutes have given the legislative branch direct review powers."