

Sincerely,
Harry Hughes
Governor

House Bill No. 55

AN ACT concerning

Estates and Trusts - Commissions of Trustees

FOR the purpose of ~~providing a method based upon a cost of living index as a manner of calculating the amount of the commission to which testamentary trustees and certain other trustees are entitled; and providing for annual adjustments in this commission~~ changing the method of calculating the commission that testamentary trustees and certain other trustees are entitled to receive on certain trusts.

May 29, 1979

Honorable Benjamin L. Cardin
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 55.

As introduced, this bill would have applied to a cost of living adjustment to the schedule of trustees' commissions contained in Section 14-103 of the Estates and Trust Article.

In the course of enactment, the bill was totally recast so as to eliminate this provision. As enacted, the bill preserves the existing commission schedule as to estates under \$150,000 while providing as to larger estates that commissions shall be "as agreed upon between the person creating the trust or the personal representative of the estate and the trustee. If no agreement has been entered into, then the commission shall be as approved by the court."

This bill speaks to a real problem arising from the apparent inadequacy of the existing schedule of commissions as applied to moderate size estates, which has led banks to decline trusteeships with respect to such estates. It