

The Governor shall submit the proposed (Concessions Management) plan and program, and any periodic updating, to the General Assembly of Maryland not later than the tenth day of the next regular legislative session, for approval by joint resolution. Should the General Assembly fail to enact a joint resolution approving or amending the proposed plan and program before the end of the session, it shall stand approved as submitted. During the interim the proposed plans or programs shall be submitted to the Legislative Policy Committee for approval.

Some of the concessions that would be operated under this bill would be small food and souvenir stands such as those that the Department of Natural Resources already operate throughout the State Park System. While it is not entirely clear what is encompassed by the reference to the "(Concessions Management) Plan and Program, and any updating" it appears that the plan for any concession or modification of any concession would have to be submitted to the General Assembly for approval before implementation. The Department of Natural Resources has informed me that this provision would make the Concessions Management Program totally unworkable.

The Attorney General has advised me that he has "substantial reservations about the constitutionality" of the provision of § 5-211(e) that requires approval of the General Assembly. I, too am very troubled by this provision. Moreover, the Attorney General has found that this provision and the provision of the bill that requires approval of the concession agreements by the Board of Public Works may not be given effect, in any event, because of defects in the title of the bill. A copy of the Attorney General's letter is attached and should be considered part of this veto message.

The Attorney General has concluded that the defective provisions are severable and that the bill may be signed, giving the remainder of the bill effect. I believe that the proper manner of operation of the Concessions Management Program would be very questionable under the impaired bill that it would not be prudent for me to sign it.

For the reasons I have cited in this letter, I have vetoed Senate Bill 624.

Sincerely,
Harry Hughes
Governor

May 13, 1981