

3974

VETOES

May 29, 1984

The Honorable Melvin A. Steinberg
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 857.

Senate Bill 857 and House Bill 952 are identical bills which establish a State Donations Oversight Committee, of which 6 members would be legislators, to certify, in accordance with certain criteria, State projects for which private donations may be solicited in the State income tax information booklet.

The Attorney General has determined in the attached letter that the certification of State projects for which private donations may be solicited is the implementation of policy and is thus an exercise of an essential executive function which may not be usurped by a committee the composition of which includes members of the legislature. Exercising such a function by the Committee violates the separation of powers clause and therefore the bill is unconstitutional.

For that reason I have decided to veto Senate Bill 857 and House Bill 952.

Sincerely,
Harry Hughes
Governor

May 24, 1984

The Honorable Harry Hughes
Governor of Maryland
State House
Annapolis, MD 21401-1991

Re: House Bill 952
Senate Bill 857

Dear Governor Hughes:

This is to advise you that we have reviewed for constitutionality and legal sufficiency Senate Bill 857 and House Bill 952, identical bills which establish a State Donations Oversight Committee to certify, in accordance with certain criteria, State projects for which private donations may be solicited in the State income tax information booklets. As this 10 member committee includes 6 legislators and exercises what is