

County to serve alcoholic beverages on Sundays between the hours of 1 P.M. and midnight" the provisions of this Act shall become effective on the 30th day following the official canvass of votes for the referendum, but if a majority of the votes cast in the election are "Against allowing restaurants in Garrett County to serve alcoholic beverages on Sundays between the hours of 1 P.M. and midnight" the provisions of this Act shall be of no effect and null and void.

SECTION 3. AND BE IT FURTHER ENACTED, That subject to the provisions of Section 2 herein and for the sole purpose of providing for the referendum therein required, this Act shall take effect on July 1, 1984.

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May 29, 1984

The 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 1255.

This bill grants new powers to the Joint Committee on Administrative, Executive and Legislative Review (AELR) to review and delay proposed regulations of executive agencies. The AELR Committee could suspend a proposed regulation, or any portion of a proposed regulation, until June 1 following the next session of the General Assembly if the Committee finds the proposed regulation is unconstitutional, exceeds statutory authority, fails to comply with legislative intent or is unreasonable or unnecessarily burdensome. The next session of the General Assembly could then enact legislation to reject the suspended regulation, and if the Governor vetoes the legislation, the suspension would remain in effect until the opportunity for override elapses. Any proposed regulation or portion of any regulation that was not suspended during the 45-day review period could be delayed an additional 45 days by the AELR Committee for additional review.

The Attorney General has advised me in the attached letter that this bill is unconstitutional because it violates the separation of powers clause by authorizing a legislative committee to exercise powers reserved to the Judicial Branch. Determining the constitutionality of proposed regulations is exclusively a judicial function that would be transferred by this bill to the AELR Committee. The Attorney General has withheld