

per annum, payable quarterly, with a deduction of Fifteen Dollars (\$15.00) per diem for each day of unexcused absence from any session; . . .”

Article Three, Section 35, says in part: “No extra compensation shall be granted or allowed by the General Assembly to any public Officer, Agent, Servant or Contractor, after the service shall have been rendered, or the contract entered into; nor shall the salary or compensation of any public officer be increased or diminished during his term in office . . .”

The Attorney General believes that the Bill, by providing a pension to former members of the General Assembly, would constitute extra compensation to a public officer after the services have been rendered. He has cited instances in which the Courts have ruled this to be the case.

Another persuasive consideration cited by the Attorney General is the fact that each previous attempt to increase the annual compensation of members of the General Assembly has been by Constitutional Amendment. Chapter 112 of the Acts of 1962 was an attempt to increase the compensation of members of the General Assembly to \$3,000 per annum. This proposed amendment was not approved by the voters.

Therefore, for the reasons set forth above, I have vetoed House Bill 648 and am returning this Bill to you unsigned.

With kindest personal regards, I am

Sincerely yours,

(s) J. MILLARD TAWES,  
Governor.

JMT/Jd/Encl.

Letter from State Law Department on House Bill No. 648

May 3, 1963.

Honorable J. Millard Tawes  
Governor of Maryland  
State House  
Annapolis, Maryland

Re: House Bill No. 648

Dear Governor Tawes:

At your request we have examined House Bill 648 and we believe that this bill would not be constitutional.

House Bill 648 provides for a pension to be paid to every living former member of the General Assembly following an aggregate period of not less than eight years' service in the General Assembly, provided that the person otherwise entitled to receive such pension has attained the age of 55 years. Therefore, the bill by its terms would provide for payment to former members of the General Assembly not now serving in the General Assembly.