

DEPARTMENT OF CHESAPEAKE BAY AFFAIRS BY REGULATIONS TO PROVIDE THE PROCEDURE APPLICABLE TO SUCH TAKING.

May 6, 1966.

Honorable William S. James
President of the Senate
State House
Annapolis, Maryland

Dear Mr. President:

I have today vetoed Senate Bill 496 and, in accordance with the provisions of Article 2, Section 17 of the Maryland Constitution, I am returning the same to you along with my message concerning this action.

On May 4 of this year, I received a letter from the Attorney General, a copy of which is attached and to be considered a part of this message, advising that in the opinion of that office, the bill was unconstitutional. In light of this advice, I felt that I could not sign the same into law.

With kindest regards, I am

Sincerely yours,

(s) J. MILLARD TAWES,

Governor.

Letter from State Law Department on S. B. 496.

May 4, 1966.

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

Re: Senate Bill 496

Dear Governor Tawes:

As requested, I have reviewed Senate Bill 496 and found the Bill to be unconstitutional.

This Bill suffers from the same defect as House Bill 781, 1965 Session, concerning which I wrote you on April 27, 1965. Both of these bills were an attempt to restrict the taking of crabs from the waters of Worcester and Somerset Counties, by means of crab pots, to residents of the respective counties. Senate Bill 496 seeks to achieve this result by requiring that regulations relating thereto promulgated by the Department of Chesapeake Bay Affairs must provide that every applicant for licensing must have resided in either Worcester or Somerset County, respectively, for more than one year prior to his application.

In my opinion, Senate Bill 496 is unconstitutional for two reasons. First, the title of the Bill does not clearly state the restriction on regulations to be promulgated by the Department of Chesa-