

EXECUTIVE DEPARTMENT

May 28, 1969.

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

Dear Mr. President:

In accordance with Article II, Section 17, of the Maryland Constitution, I have today vetoed Senate Bill 463, and am returning it to you.

This Bill was quite evidently conceived as a reaction to the wave of campus disorders that have occurred recently throughout the nation, and I must admit that generally I share the sentiment of its sponsor.

Section 263 of Article 77 of the Annotated Code of Maryland provides that a Senatorial Scholarship, once awarded, may not be revoked for other than academic deficiencies. The original text of this Bill would have permitted a further ground for revocation in the event that the student participated in disruptive activities of a serious nature. The language provided significant standards and safeguards.

In the course of its progress through the General Assembly however, the bill was virtually rewritten. The carefully defined acts which might lead to revocation of a scholarship were eliminated, along with the standards and safeguards. The amended version simply authorizes termination of a scholarship award "upon receiving a recommendation from the institution which the holder of the award attends that the holder is guilty of misconduct or misbehavior." Just that and nothing more.

In my opinion, the result of the amendment was that a reasonable reaction to campus unrest was translated into an unreasonable overreaction. As finally enacted, the reference to "misconduct or misbehavior" contains no definition or limitation whatsoever. It could embrace anything from a party raid to a controversial editorial in the college newspaper. It is so utterly devoid of fairness and equity to the student that, if it were to become law, it would most likely fan the flames of campus unrest rather than accomplish its original purpose.

It should be noted that our universities and colleges are not without present powers to deal with disruptive activities or even with misconduct or misbehavior. They all possess the statutory or inherent right to expel or suspend a student or to inflict a variety of other penalties.

For these reasons, I have decided to veto this Bill.

Sincerely,

/s/ Marvin Mandel,

Governor.

Which was read.

Senate Bill No. 463—Senatorial Scholarships.

AN ACT to add new Section 263A to Article 77 of the Annotated Code of Maryland (1965 Replacement Volume and 1968 Supplement), title "Public Education," subtitle "Chapter 27. General Assembly Scholarship