

I veto House Bill 906 for many of the above-mentioned reasons as well as for others set forth in her letter, which is attached herewith.

In light of the foregoing, I have decided to veto House Bill 906.

Sincerely,

/s/ MARVIN MANDEL,
Governor.

Letter from Miss Lucy Ann Garvey on House Bill No. 906

May 4, 1971.

Mr. John Eldridge
Chief Legislative Officer
Governor's Office
State House
Annapolis, Maryland 21404

Dear Mr. Eldridge:

In re: House Bill 906

When I spoke to you on the telephone last week, you requested that I send you any comments I might have on the above Bill which is awaiting the Governor's signature. I should like to say that my remarks are based upon my experiences and impressions gained as an assistant state's attorney for Baltimore City prosecuting criminal non-support cases for approximately two years and as Master of the Domestic Relations Division of the Supreme Bench of Baltimore City where I am presently serving. I want to make it clear, however, that I am writing in my individual capacity. My views do not represent those of the Supreme Bench of Baltimore City, and I do not purport to speak for them.

1. House Bill No. 906 repeals the criminal offense of desertion and non-support of wives and children and provides for all such complaints to be filed through the equity courts. If one adopts the philosophy that all support matters should be handled civilly and not criminally the intent and principle of the Bill are good. However, in placing these matters exclusively in the equity courts some of the effectiveness of enforcement is watered down in that there is no resort to police departments by way of warrants when an errant husband and father cannot be located or is evading service by the sheriff.

2. The Bill fails to repeal Art. 27, Secs. 104-110 and Art. 27, Secs. 97-103, so that it is still a criminal offense to fail to support indigent parents and destitute adult children.

3. The Bill repeals Art. 27, Sec. 96 relating to abandonment and desertion of a minor child by any person having the care, custody or possession of such child without making provision for said child. This act would no longer constitute a criminal offense and whether juvenile court proceedings would take up the void is open to question.

4. The Bill seems to inject a new element into support of children in that it provides: "No person shall *without just cause* desert or