

J. MILLARD TAWES, Governor

1449

May 6, 1966.

Honorable Marvin Mandel
Speaker of the House of Delegates
State House
Annapolis, Maryland

Dear Mr. Speaker:

I have today vetoed House Bill 367 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 H. B. 367.

May 4, 1966.

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

Re: House Bill 367

Dear Governor Tawes:

As requested, I have reviewed House Bill 367 and found it to be unconstitutional. House Bill 367 prohibits the leasing for private oyster culture of submerged grounds which have been closed for a period of years as the result of an order of the State Health Department until the expiration of a period of one year from the termination of the Health Department order. The Bill was amended to except from its provisions Wicomico and Anne Arundel Counties. However, the Legislature failed to amend the title of the Bill to show these exceptions, and for that reason the Bill is unconstitutional, because it contravenes Article III Section 29 of the Maryland Constitution.

Very truly yours,

(s) THOMAS B. FINAN,

Attorney General.