

and obscene performances in Anne Arundel County and prescribing penalties for violations.

May 2, 1963.

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

Dear Mr. President:

I have today reviewed Senate Bill 499 and, in accordance with Article 2, Section 17 of the Maryland Constitution, I am returning this Bill to you, accompanied by my veto message.

This particular Bill is a local Anne Arundel County bill and is designed to establish criminal penalties for certain obscene, indecent, and immoral exhibitions or shows conducted in the County.

The Attorney General has advised me by letter dated April 29, 1963, that this Bill does not meet the necessary constitutional requirements. In light of this fact, I feel that I am compelled to veto the measure.

I am attaching hereto a copy of the Attorney General's opinion to be considered as a portion of my veto message.

With kindest personal regards, I am

Sincerely yours,

(s) J. MILLARD TAWES,
Governor.

JMT/Ss/Encl.

Letter from State Law Department on Senate Bill No. 499

April 29, 1963.

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

Re: Senate Bill No. 499

Dear Governor Tawes:

Senate Bill No. 499, submitted to me for review as to form and legal sufficiency, adds a new Section 335A to Article 27 of the Annotated Code of Maryland, under the title of "Crimes and Punishments." The new Section is to be subtitled "Immoral Shows and Exhibitions" and is to apply solely to Anne Arundel County.

This *Bill is not approved* for the following reasons:

In my opinion, the statute, as drawn, is too vague to be enforceable. Since it is a criminal statute imposing penalties for violation thereof, it must contain language sufficiently clear and explicit to enable those affected thereby to know exactly what is forbidden. I refer you to the United States Supreme Court case of *Winters v. New York*, 92 Law Ed. 840.