

be under the new subtitle "Detainers," and new subheading "Intra-state Detainers".

While the Attorney General in his letter of April 1, 1964, expresses the opinion that the bill is constitutional, he points out that certain language in the bill provides for a procedure which is at variance with the orderly and practical administration of criminal justice. He suggests that I give consideration to withholding approval of the bill, particularly so in view of the fact that Senate Bill No. 5—the Interstate Agreement on Detainers—is unconstitutional and has to be vetoed. In view of the Attorney General's suggestion, I believe that the General Assembly may want to reconsider Senate Bill No. 6, together with Senate Bill No. 5, and accordingly, I have vetoed it.

Inasmuch as the letter of the Attorney General of April 1, 1964, analyzes the effects of Senate Bill No. 6 upon the orderly administration of criminal justice, I am attaching a copy thereof to this veto message.

With kindest personal regards, I am

Sincerely yours,

(s) J. MILLARD TAWES,  
Governor.

April 1, 1964.

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

Re: Senate Bill No. 6

Dear Governor Tawes:

Senate Bill No. 6, introduced at the regular session of the Legislature by the Legislative Council and passed by both Houses of the General Assembly, adds a new section to Article 27 of the Annotated Code of Maryland (1957 Edition and 1963 Supplement), title "Crimes and Punishments," such section to be under the new subtitle "Detainers," and new subheading "Intrastate Detainers". Its purpose, as stated in the title, is to "provide for the disposition of and to authorize the processing of detainers based on untried indictments of the City of Baltimore or any county of the State against persons incarcerated in State correctional institutions or facilities, \* \* \*".

Subsection (a) provides that:

"Whenever any state's attorney, sheriff, other peace officer or constable in this state has knowledge of any untried indictment against any prisoner serving a sentence in any correctional institution under the Department of Correction, he shall cause to be delivered to the Department of Correction within 30 days written notice of the untried indictment by certified mail".

This statute imposes duties upon "sheriffs," "other peace officers" or "constables" in Maryland, which may not be consonant with the sound administration of the criminal law in this State. It is to be noted that the Bill refers only to "indictments"; and in that sense