

Letter from State Law Department on H. B. 640

April 25, 1967

Honorable Spiro T. Agnew
Governor of Maryland
State House
Annapolis, Maryland 21404

Dear Governor Agnew:

At your request I have examined House Bill No. 640, in order to determine whether it meets minimum Constitutional requirements as to form and legal sufficiency.

In Section 29-1 of the bill, on page 2 thereof, at line 22, the following matter has been omitted from existing law, immediately succeeding the word "shall:" "appoint someone to fill such vacancy. The Board of County Commissioners of Prince George's County shall."

Because this bill omits crucial language of existing law, and further, since as now drafted House Bill No. 640 is meaningless with respect to such provision, we respectfully submit that you disapprove this bill in its present form. By virtue of the omission, the bill fails to conform to Constitutional standards as to form and legal sufficiency.

Sincerely yours,

(s) FRANCIS B. BURCH,

Attorney General.

House Bill No. 671. Prince George's County—Alcoholic Beverages

AN ACT to repeal and re-enact, with amendments, Section 158 (k) of Article 2B of the Annotated Code of Maryland (1966 Supplement), title "Alcoholic Beverages," subtitle "Boards of License Commissioners," relating to the number and ~~residents~~ RESIDENCE of the inspectors in Prince George's County and the manner of appointment of and the term of the Chief Inspector.

May 4, 1967.

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

Dear Mr. Speaker:

In accordance with Section 17 of Article II of the Maryland Constitution, I have vetoed today House Bill 671 and am returning it to you.

This bill removes the power of appointment of alcoholic beverage inspectors from the Prince George's County Board of License Commissioners and places it in the County's Board of County Commissioners. The effect of this would be to impair the control of the License Commissioners over the selection of their own employees and seems contrary to reasonably sound administration, particularly when the employees concerned are engaged at the level of policy execution.