

Senate Bill No. 285—Mental Health

AN ACT to repeal Section 1E of Article 43 of the Annotated Code of Maryland (1957 Edition, 1965 Replacement Volume, 1968 Supplement), title "Health," subtitle "State Board of Health and Mental Hygiene," and to repeal, in its entirety, Article 59 of the Annotated Code of Maryland (1957 Edition, 1968 Replacement Volume, 1968 Supplement), title "Lunatics and Insane" and to enact a new Article 59 to stand in the place of the Article so repealed and to be under the new title "Mental Hygiene"; providing for the enactment of new statutory provisions for the policy of the State of Maryland for mental health, defining terms, organization and administration of the Department of Mental Hygiene, THE SECRETARY OF HEALTH AND MENTAL HYGIENE the Commissioner of Mental Hygiene and their respective rights, powers and duties, rules and regulations, the admission, transfer and release of mentally ill persons, patients' records, the defense of insanity in criminal cases, organization and administration of public facilities, their employees, their rights, powers and duties, the licensing of private facilities, licensing requirements, suspension and revocation of licenses, financing of mental health services, persons and governmental units liable for such financing, enforcement of liability, patients' records and civil rights, penalties, civil and criminal, and relating generally to all phases of the law pertaining to mental health and mentally ill persons.

May 28, 1969.

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

Dear Mr. President:

In accordance with Article II, Section 17, of the Maryland Constitution, I have today vetoed Senate Bill 285 and am returning it to you.

This Bill repeals in its entirety Article 59 of the Annotated Code of Maryland and enacts a new Article 59 to stand in its place, thereby completely revising the Mental Hygiene laws of the State. The Bill is a product of a great deal of study and work, and I fully indorse its objectives.

However, through what was undoubtedly oversight, the Bill as drafted repeals the provisions in the existing law for direct commitments of mentally ill persons to Veterans Administration Hospitals and fails to enact new provisions for direct commitments to such Hospitals. The Veterans Administration has written to me, delineating the problems which this Bill will create and requesting that I veto it. For the reasons given in the attached letter from the Veterans Administration, which is to be considered a part of this message, I believe that Senate Bill 285 must be vetoed.

Since the Bill for the most part does represent a desirable revision of Article 59, I strongly urge that it be modified to take care