

1904

VETOES

May 28, 1971.

Honorable Thomas Hunter Lowe  
Speaker of the House of Delegates  
State House  
Annapolis, Maryland 21404

Dear Mr. Speaker:

In accordance with Article II, Section 17, of the Maryland Constitution, I have today vetoed House Bill 195.

This bill amends several sections of Article 2B of the Annotated Code which relate to the hours for sale and consumption of alcoholic beverages in Montgomery County. The bill further provides in Section 2 that it shall not take effect until it is submitted to a referendum of the voters of Montgomery County at the general election to be held in November, 1972. However, Section 3 of the bill provides that it shall take effect on June 1, 1972. Consequently, there is an obvious conflict between the two effective date clauses of the bill.

The conflict as to when the bill will become effective is reconciled by the Attorney General in favor of the referendum effective date clause. However, the Attorney General further points out in his opinion that there is an additional ambiguity as to when House Bill 195 will become effective after the referendum if the voters approve of the bill. The Attorney General does not suggest any resolution of this additional ambiguity. A copy of the Attorney General's opinion is attached herewith and is to be considered a part of this message.

In view of the fact that the effective date clauses in House Bill 195 are in apparent conflict and that there is a further ambiguity in the critical referendum clause, I have decided to veto House Bill 195. The General Assembly at its next session will be able to re-examine the matter and will still be able to enact a new bill in time for it to be submitted to referendum of the voters in November 1972 as originally proposed.

Sincerely,

/s/ MARVIN MANDEL,  
Governor.

Letter from State Law Department on House Bill No. 195

May 18, 1971.

The Honorable Marvin Mandel  
Governor of Maryland  
State House  
Annapolis, Maryland 21404

Re: House Bill 195

Dear Governor Mandel:

The above-captioned bill has already been approved by this office in a letter dated April 14, 1971, but a further question has been raised as to the apparent conflict in the effective date sections (Sections 2 and 3 of the bill). By amendment the effective date contained in the first reader copy of the bill (June 1, 1971) was stricken