

House Bill No. 875—Emergency Powers of Governor

AN ACT to repeal and re-enact, with amendments, Section 9 of Article 13 of the Annotated Code of Maryland (1968 Replacement Volume, 1970 Supplement), title "Bills of Exchange and Promissory Notes," subtitle "Legal Holidays", to empower the Governor, in certain cases of emergency, by proclamation to authorize certain designated banking institutions to remain closed.; AND TO AUTHORIZE CERTAIN BANKING INSTITUTIONS TO CLOSE WHEN IT IS NOT PRACTICAL TO OBTAIN SUCH A PROCLAMATION.

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 875.

This bill empowers the Governor, in cases of emergency, to issue a proclamation authorizing certain designated banking institutions to remain closed. The bill further provides that where an emergency condition exists and it is not practical to obtain a proclamation from the Governor, banking institutions so affected may, by the action of the chairman of the Board of Directors or the president of the institution, effect a closing until a proclamation can be obtained from the Governor.

It is my understanding that this bill was occasioned by recent events such as telephone bomb threats to either a bank or one of its branch offices and the increasing frequency of armed robbery, particularly at branch offices of banks. In instances such as this, under existing law, the bank cannot close down unless a proclamation has been issued by the Governor.

I am in full accord with the underlying purpose of this bill. However, in my opinion, House Bill 875 is technically defective in its language and is incomplete. The bill provides that the banks, after following certain procedures, may on their own close until a proclamation can be obtained from the Governor. However, the bill is silent with respect to the situation when the Governor refuses to issue a proclamation when one is requested by the banks which have already closed. The bill does not provide that the banks are required to reopen when the Governor refuses to issue the proclamation.

Because of the above-mentioned defect, I have decided to veto House Bill 875.

Sincerely,

/s/ MARVIN MANDEL,
Governor.

House Bill No. 906—Desertion of Wife or Child

AN ACT to repeal Sections 88 thru 96 of Article 27 of the Annotated Code of Maryland (1971 Replacement Volume), title