

The Attorney General has advised me that House Bill 1120 is unconstitutional. For the reasons given in the attached copy of the Attorney General's opinion, which is to be considered a part of this message, it is necessary that this measure must be vetoed.

Sincerely,

/s/ MARVIN MANDEL,
Governor.

Letter from State Law Department on House Bill No. 1120

May 5, 1971.

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

Re: House Bill 1120

Dear Governor Mandel:

At your request, we have reviewed House Bill 1120, which provides for an increase in the salaries of trial magistrates in Cecil County and for a substitute trial magistrate and his compensation.

Article IV, Section 41-I(d) of the Maryland Constitution provides in pertinent part the following: "From and after the first Monday in July, 1970, no further jurisdiction or judicial power shall be vested in or exercised by any justice of the peace . . ." Since the trial magistrate system will cease in Cecil County on July 5, 1971 and the new District Court System will begin, it is clear that House Bill 1120 is in conflict with Section 41-I of Article IV of the Maryland Constitution.

We also believe House Bill 1120 to be in contravention of Section 35 of Article III of the Maryland Constitution which provides that the salary or compensation of a public officer shall not be increased or diminished during his term of office.

We, therefore, recommend that House Bill 1120 be vetoed as unconstitutional.

Very truly yours,

/s/ FRANCIS B. BURCH,
Attorney General.

House Bill No. 1128—Racing Dates and Licenses

AN ACT to add new Section 18B(e) to Article 78B of the Annotated Code of Maryland (1969 Replacement Volume), title "Racing Commission," subtitle "In General," to follow immediately after Section 18B(d) thereof, providing that the Racing Commission may award a license and dates to a joint venture consisting of the Agricultural and Mechanical Association of Washington County and the Southern Maryland Agricultural Fair Association of Prince George's County under certain circumstances and on certain condi-