

receiving of stolen goods under the value of \$100 to the criminal penalties for the larceny of such goods.

It would appear that the intent of the General Assembly was to specify that the punishment for each of these crimes be a fine of not more than \$100 or imprisonment for not more than 18 months or both. However, during the legislative process, House Bill 1526 was amended in such a way as to delete from Section 341(a) of Article 27 the key phrase "or imprisonment for not more than".

The Attorney General has advised me that, as a result of this apparently inadvertent deletion, it would be arguable that no prison sentence whatever may be imposed for a violation of Section 341 and, at the least, substantial confusion would arise in connection with sentencings thereunder. A copy of the Opinion of the Attorney General is attached to and should be considered a part of this veto message.

For these reasons, I have decided to veto House Bill 1526.

Sincerely,
/s/ Marvin Mandel
Governor

Letter from State Law Department on House Bill 1526

May 28, 1974.

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

Re: House Bill 1526

Dear Governor Mandel:

We have reviewed House Bill 1526 which purports to make the criminal penalties for larceny of goods and receipt of stolen goods under the value of \$100.00 consistent, and we feel compelled to bring to your attention a potentially serious problem pertaining to the penalty provided for larceny of such goods.

Because of what was quite apparently an inadvertent mistake in the amendment process, Section 341 of Article 27 dealing with larceny of goods under the value of \$100.00 would, as amended by House Bill 1526, provide that a person convicted of such crime shall, in addition to restoring the goods or paying restitution "be fined