

The reason for such a request is evident. The testimony at the administrative hearing would likely be the same as that presented at the criminal trial. A prosecutor will not risk jeopardizing his case by allowing this administrative hearing to proceed before the government has concluded its case.

Although it is the rare case which involves the administrative suspension of a police officer without pay, thereby bringing into application the hearing requirement of House Bill 1220, it is precisely this type of case which usually involves the filing of criminal charges as well. And if criminal charges are filed, justice demands that the cooperative efforts of the government and the Department be not hindered by the requirement of hasty departmental action, when such action may well jeopardize the right of the people to see justice done.

The Police Commissioner has further advised me that he would have no objection to the 30-day hearing requirement in those cases involving suspension of an officer without pay, if criminal charges have not also been filed by Federal or State authorities. In such cases, the equities are on the side of the departmental member who is suddenly without an income. Justice in that instance would seem to argue in favor of a rapid administrative hearing.

For these reasons, I have decided to veto House Bill 1220.

Sincerely,  
Marvin Mandel  
Governor

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House Bill No. 1335 - Motor Vehicle Fuel  
Tax Refunds

AN ACT concerning

Motor Vehicles Fuel Tax - Refunds

FOR the purpose of providing that any person, firm, or corporation which buys and uses motor vehicle fuel for fire or rescue apparatus or vehicles operated by any volunteer rescue squad incorporated in Maryland is entitled to reimbursement of the motor vehicle fuel tax used; and generally relating to refunds on