

1983

SENATE

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State House
Annapolis, Maryland 21404

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 109.

This bill removes intoxication as a separately stated mitigating circumstance that the court or jury may consider in a sentencing proceeding for possible imposition of the death penalty.

House Bill 62, which was passed by the General Assembly and signed by me on May 24, 1983, accomplishes the same purpose. Therefore it is not necessary for me to sign Senate Bill 109.

Sincerely,
Harry Hughes
Governor

Senate Bill No. 109

AN ACT concerning

Death Penalty - Mitigating Circumstances

~~FOR---the--purpose--of--eliminating,--as--a--possible--mitigating
circumstance--in--criminal--cases--subject--to--the--death--penalty,
the--circumstance--that--the--crime--of--murder--was--committed
while--the--capacity--of--the--defendant--to--appreciate--the
criminality--of--his--conduct--or--to--conform--his--conduct--to--the
requirements--of--law--was--substantially--impaired--as--a--result
of--voluntary--intoxication.~~

FOR the purpose of removing intoxication as a separately stated
mitigating circumstance that the court or jury may consider
in a sentencing proceeding for possible imposition of the
death penalty; and providing a preamble of legislative
intent.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments
Section 413(g)
Annotated Code of Maryland
(1982 Replacement Volume and 1982 Supplement)

The President put the question: Shall the Bill pass,
notwithstanding the objections of the Executive?

The roll call vote resulted as follows:

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