

Under current law the State has expressly preempted the regulation of the possession and sale as well as the wearing, carrying and transportation of handguns, Md. Ann. Code Article 27 § 442(a) and 445(a) (1983 Cum. Supp.), although the extent of preemption in this area is currently in litigation pending before the Court of Appeals. Montgomery County v. Atlantic Guns, Inc. (Sept. Term, 1983). State law also forbids the possession of short-barrelled rifles and shotguns and long barrelled rifles and shotguns under certain circumstances. Md. Ann. Code Article 27, §§ 36A, 36G, and 481C (1983 Cum. Supp.). Generally, however, the possession and carrying (as well as the discharge) of rifles and shotguns, for example, is not extensively regulated by State law and local home rule governments may legislate in this area.

When the General Assembly expressly preempted local legislation with respect to handguns, it substituted a comprehensive statewide regulatory scheme that provided enhanced protection to the public. See, Chapter 13 of the Laws of Maryland of 1972. It is this lack of a substitute comprehensive approach that I find deficient in the context of this legislation. For that reason, I am unwilling to sign into law a bill that would invalidate the judgment of local elected officials when they determine that local legislation of the type described above concerning firearms, ammunition, or explosives is required within a particular jurisdiction.

Consequently, I have decided to veto Senate Bill 66.

Sincerely,  
Harry Hughes  
Governor

Senate Bill No. 66

AN ACT concerning

Preemption - Weapons and Ammunition

FOR the purpose of declaring the intent of the State of Maryland to preempt the field of regulation of certain enumerated weapons and ammunition and certain activities involving the enumerated weapons and ammunition; providing for the repeal of certain inconsistent laws; and generally providing for the preemption of weapons, ammunition, and certain activities relating thereto.

BY adding to

Article 27 - Crimes and Punishments  
Section 756  
Annotated Code of Maryland