

(2) Phencyclidine, 1-(1-phenylcyclohexyl) piperidine, 1-phenylcyclo-hexylamine, or 1-piperidinocyclohexanecarbonitrile, classified in Schedule II, or nethyl-1-phenylcyclohexylamine, 1-(1-phenylcyclohexyl)-pyrrolidine, or 1-(1-(2-thienyl)-cyclohexyl)-piperidine, classified in Schedule I, is guilty of a felony and is subject to imprisonment for not more than 20 years, or a fine of not more than \$20,000, or both. Any person who has previously been convicted under this paragraph shall be sentenced to imprisonment for not less than 10 years, ANY PERIOD OF INCARCERATION WHICH IS IN EXCESS OF 10 YEARS MAY BE SUSPENDED. HOWEVER, [Neither] NEITHER the MANDATORY MINIMUM sentence nor any part of it may be suspended, and the person shall not be eligible for parole except in accordance with Article 31B, § 11.

(3) Any other controlled dangerous substance classified in Schedule I, II, III, IV, or V shall, upon conviction, be deemed guilty of a felony and sentenced to a term of imprisonment for not more than 5 years or a fine of not more than \$15,000, or both. Any person who has previously been convicted under this paragraph shall be sentenced to imprisonment for not less than 2 years, ANY PERIOD OF INCARCERATION WHICH IS IN EXCESS OF 2 YEARS MAY BE SUSPENDED. HOWEVER, [Neither] NEITHER the MANDATORY MINIMUM sentence nor any part of it may be suspended, and the person shall not be eligible for parole except in accordance with Article 31B, § 11.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1986.

May 27, 1986

The Honorable Benjamin L. Cardin
Speaker of the House of Delegates
State House
Annapolis, Maryland 21404

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 757.

This bill provides that evidence of refusal to submit to a chemical test for alcohol is admissible at a trial for violation of certain motor vehicle laws.

Senate Bill 85, which was passed by the General Assembly and signed by me on May 27, 1986, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 757.

Sincerely,
Harry Hughes