

are individually exempted by a permit issued by the Department of Natural Resources.

DRAFTER'S NOTE:

Error: Stylistic errors in Article 27, § 70D(b) and (c).

Occurred: In Article 27, § 70D, the error in subsection (b) occurred in Ch. 491, Acts of 1980 and the error in subsection (c) occurred in Ch. 406, Acts of 1981.

73.

The warden of the Maryland Penitentiary is hereby authorized and directed to provide and maintain a permanent death chamber within the confines of said penitentiary, and which said death chamber shall have all the necessary appliances for the proper execution of felons by the administration of a lethal gas. In said death chamber shall be executed all felons upon whom the death penalty has been imposed, for offenses committed on or after January 1st, 1923. Each execution shall be conducted by the said warden or some assistant or assistants designated by him, in the presence of[,] the sheriff of the county or city where such felon was indicted, the physician of the said penitentiary, or his assistant, and a number of respectable citizens numbering not less than six or more than twelve. Counsel for the convict and two ministers of the gospel may be present.

DRAFTER'S NOTE:

Error: Extraneous comma in Article 27, § 73.

Occurred: Prior to 1957 codification of the Annotated Code of Maryland.

75.

(a) When a person is sentenced to the punishment of death, the judge or judges presiding in the court shall, at the time of passing sentence, make out, sign and issue a warrant directed to the warden of the Maryland Penitentiary, stating the conviction and sentence and appointing a week within which the sentence must be executed, and commanding the said warden to execute the sentence upon some day within the week so appointed. If a proceeding is instituted in any federal or State court to test the validity of the conviction, other than by an appeal to the Court of Special Appeals or on certiorari in the Court of Appeals, or if a proceeding is instituted in any State court under § 75A OF THIS ARTICLE to determine the incompetency of the defendant, the warrant shall remain in full force and effect