

The title of this Bill provides "that when business premises become untenable because of riot or civil disorder, the tenant shall have an option to terminate the tenancy and liability for rent shall cease upon proportionate payment."

During the course of the passage of this measure in the General Assembly, however, the reference to "business premises" in the body of the Bill was deleted by amendment and the Bill, by its terms, now applies not only to business premises, but to all premises rented for a term of not more than seven years.

Although the Court of Appeals in recent years has exhibited great reluctance to invalidate a bill because of a defective title, we do not see how the Court could sustain the great discrepancy between the title to this Bill and the actual provisions thereof.

We advise you, therefore, of our view that this Bill should not be signed into law.

Sincerely,

/s/ Robert F. Sweeney,

*Deputy Attorney General.*

Vetoed by the Governor—May 28, 1969

House Bill No. 91—By Delegate Jacobson:

An Act to repeal and re-enact, with amendments, Section 39K of Article 53 of the Annotated Code of Maryland (1968 Replacement Volume), title "Landlord and Tenant," subtitle "Miscellaneous Provisions," providing WITH CERTAIN RESTRICTIONS that when business premises ~~are rendered unsuitable for the purpose for which they were leased~~ BECOME UNTENANTABLE because of riot or civil disorder, the tenant shall have an option to terminate the tenancy and liability for rent shall cease upon proportionate payment.

The Speaker put the question: Shall the bill pass notwithstanding the objections of the Executive?

Affirmative—None

Negative

Delegates—

Mr. Speaker, Briscoe, Fowler, Boyer, Athey, Thomason, Lipin, Burkhead, Connell, Helms, Allen, Fornos, Anderson, Benner, Compton, Nimmerrichter, Arata, Coolahan, Malone, Alpert, Jacobson, Rynd, Hopkins, Nice, Price, Hinkel, Hensen, Tyler, Hutchinson, Jones, Kardash, Schirano, Einschütz, Evans, Rush, Arnick, D'Anna, Minnick, Dize, Matthews, Burkheimer, Mackie, Dorman, Menes, Mothershead, Banning, Goodman, Hull, King, Montfort, Santangelo, Weile, Aragona, Bagley, Donovan, Giordano, McDonough, Rummage, Hickman, C. M., Hickman, R. O., Virts, Houck, Remsberg, Greer, Hess, Osborne, Scarff, Hargreaves, Bonvegna, Bullock, Dypski, Krysiak, Silk, Walters, Adams, Antonelli, Cassady, Chester, Orlinsky, Holub, Sarbanes, Burns, Curran, Hergenroeder, Kent, Kircher, McQuade, Mooney, O'Brien, Abramson, Brailey, Dixon, Douglass, Epstein, Lee, Randolph, Abrams, Cardin, Friedman, Resnick, Sklar, Spector, Waxter, Avara, Baumann, Weisengoff, Freeberger, Murphy, Rutkowski, Wyatt, Donaldson, Grumbacher, Hoffman, Wright, Clarke, Cronin, Lady, McInerney, Scott, Whalen, Whitney, Becker, Bell, Blondes, Cook, Docter, Maurer, Zander, Aitken, Wisner Evans, Reed, Sloan, Williams, Matthews, Yingling, Burgess, Warfield, Laws, Long, Aiken. Total—142

*The Speaker announced the veto was sustained.*