

This Bill amends the definition of "average weekly wages" for purposes of the Workmen's Compensation law. Among other things, it provides that for an employee injured in the course of part time employment, the term "average weekly wages" means the average weekly wages such employee would receive if engaged full time in such employment.

I was informed by the sponsor of the Bill, Delegate Friedman, that this provision was intended to be applicable to an employee having both a full time and part time job who is injured in the course of the latter employment. However, as drafted, the provision also encompasses the employee who has a part time job only. For example, under it, a student who works in a drugstore on Saturdays only and has no other employment would if injured in the course of his employment, receive workmen's compensation benefits as if he were a full time employee. His benefits could well exceed his weekly salary by a substantial amount.

The State Accident Fund has requested that I veto the Bill because it will require employers to pay insurance premiums on part time employees as though they were working full time. In the view of the Fund, this Bill will be quite damaging to small employers such as drug stores, grocery stores and service stations. The sponsor of the Bill, Delegate Friedman, has informed me that, because the Bill goes further than intended, he has no objection to vetoing it. Consequently, I am complying with the State Accident Fund's request to veto House Bill 1033.

Sincerely,

/s/ Marvin Mandel,
Governor.

Read and journalized.

Vetoed by the Governor—May 28, 1969

House Bill No. 1033—By Delegate Friedman:

An Act to repeal and re-enact, with amendments, Section 67(8) of Article 101 of the Annotated Code of Maryland (1964 Replacement Volume), title "Workmen's Compensation," subtitle "Miscellaneous," changing the definition of "average weekly wages."

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, Jensen, 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, Benvegna, Bullock, Dypski, Krysiak, Silk, Walters, Adams, Antonelli, Cassidy, Chester, McCarty, 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, Wiser, Evans, Reed, Sloan, Williams, Matthews, Yingling, Burgess, Warfield, Laws, Long, Aiken.

Total—142

The Speaker announced the veto was sustained.