

FOR the purpose of requiring the annual licensing of certain public swimming pools by the Secretary of Health and Mental Hygiene in order to protect the public from health and safety hazards; exempting from this licensing requirement public swimming pools located in certain counties; authorizing the Secretary to promulgate rules and regulations for the licensing of public swimming pools; providing for the creation of an advisory committee to assist in the formation and review of these rules and regulations; providing that any licensing resolution or ordinance in this area any county or Baltimore City has, or adopts, shall be controlling over state-wide regulations, subject to a certain determination by the Secretary; and providing a penalty for failure to obtain a license.

May 15, 1975.

Honorable John Hanson Briscoe
Speaker of the House of Delegates
State House
Annapolis, Maryland

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 868.

This bill requires the annual licensing of certain public swimming pools by the Secretary of Health and Mental Hygiene.

During the legislative process, House Bill 868 was amended to exempt sixteen counties from its provisions. The bill now states that except in those sixteen counties, "no person may operate any public swimming pool without first obtaining an annual license from the Secretary."

The Secretary of Health and Mental Hygiene has requested that I veto House Bill 868. While the Secretary is in agreement with the intent of this bill, he points out that at present all swimming pools in Maryland are controlled by regulations of his Department. The amendments which exempted sixteen counties from the bill may have the effect of voiding these regulations in these sixteen counties. The Attorney General has advised me that he concurs in this analysis of the effect of these amendments to House Bill 868. In those sixteen counties, no controls over swimming pools would exist if I were to sign this bill.

For these reasons, I have decided to veto House Bill