

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 1343.

This bill provides for the establishment and licensure of private group homes for mentally retarded individuals.

Senate Bill 893, which was enacted by the General Assembly and signed by me on May 29, 1978, accomplishes the same purpose.

Both bills specify that the Secretary of Health and Mental Hygiene is to consider in his site selection general zoning ordinances. The Senate Bill, however, specifies that the general zoning ordinances are applicable as to height and size of improvements, and land area that may be covered, open space requirements, permissible density, and permissible use of land and improvements. Comparable provisions were stricken by amendment from House Bill 1343.

The General Assembly recognized in the preamble of both of these measures the importance of the compatibility of State law with local zoning practices in the placement of homes for mentally retarded individuals and sought to encourage the standardization of site requirements for these homes. An integral part of this aim is the delineation of the applicability of local zoning ordinances. I believe that the Department of Health and Mental Hygiene and the Mental Retardation Administration can better administer the intention of this law with the benefit of the legislative guidance provided by the provisions in Senate Bill 893.

For these reasons, and at the request of the Secretary of Health and Mental Hygiene, I have decided to veto House Bill 1343 in favor of Senate Bill 893.

Sincerely,
Blair Lee III
Acting Governor

House Bill No. 1359 - Review of Federal Grant-in-Aid
Applications

AN ACT concerning