

Affirmative: 0

Negative: 45

(See Roll Call No. 8)

The President announced the veto was sustained.

May 31, 1983

The Honorable Melvin A. Steinberg  
President of the Senate  
State House  
Annapolis, Maryland 21404

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 199.

This bill attempts to regulate certain forms of industrial homework within the garment manufacturing business. Industrial homework has been regulated by the federal government for over 40 years.

Senate Bill 199 was originally intended to impose a ban on industrial homework in the knitted outerwear industry, which ban was lifted effective November 9, 1981 by the U.S. Labor Department. Although the bill speaks of the "garment manufacturing" business, that term covers several of the industries subject to the federal ban on industrial homework, as well as the knitted outerwear industry.

The definition of a "garment manufacturing employer" contained in the bill was amended to exclude employers of four or fewer individuals, employers who sell over 35 percent of the apparel they make, and non-profit organizations. Consequently, under Senate Bill 199, those employers within the exclusion would be exempt from the State ban on industrial homework in those areas of "garment manufacturing" still subject to federal regulation. The federal regulations contain no such exemptions, and the Attorney General has advised me that Senate Bill 199 cannot be read to permit or sanction that which federal law expressly prohibits. A copy of the Opinion of the Attorney General is attached and should be considered a part of this message.

Regardless of whether the bill could be read consistently with federal law, the existence of such provisions in Maryland law could result in confusion and could deceptively induce persons, in reliance on Maryland law, to violate the federal industrial homework ban.

For these reasons, I have decided to veto Senate Bill 199.

Sincerely,