

(4) BE ACTUARIALLY FUNDED.

(C) THE COUNTY COMMISSIONERS BY LAW MAY IMPLEMENT THE PROVISIONS OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1984 contingent on the taking effect of Chapter ___ of the Acts of 1984 (HB 590 or SB 582), and if Chapter ___ does not become effective, this Act is null and void without the necessity of further action by the General Assembly.

May 29, 1984

The Honorable Benjamin L. Cardin
Speaker of the House of Delegates
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 1119.

House Bill 1119 amends the Workmen's Compensation Law to provide for coverage of certain individuals who are involved in the training or racing of thoroughbred racehorses and to make the owner of the racehorse legally responsible for obtaining the required coverage. A veto hearing was convened on May 24, 1984 and oral and written testimony was presented. While I am sympathetic to the sponsors' concern for the welfare of these individuals, this legislation, by altering responsibility for coverage, may produce unintended detrimental consequences with respect to the scope of workmen's compensation coverage actually provided. It may also provide an unnecessary disincentive to those owners wishing to race in Maryland.

Specifically, this legislation would classify, for purposes of workmen's compensation coverage, any individual serving as an exercise boy or girl, groom, or hot-walker (a "backstretch employee") as the noncasual employee of the owner of a thoroughbred racehorse when training a horse or racing a horse at a licensed track or a training center recognized by the Maryland Racing Commission. Similarly, a jockey would also be deemed the noncasual employee of an owner when riding a racehorse at the previously mentioned facilities.

With respect to backstretch employees, the traditional employer-employee relationship between these individuals and