

licensing requirement imposed under § 14-105 of the Health-General Article to those centers having six or fewer children and operated outside the residence of the provider -- frequently referred to as "garage centers" -- which are currently exempt from licensure.

I have been advised by Attorney General Sachs in his bill review letter to me, dated May 20, 1985, that I cannot sign both House Bill 260 and Senate Bill 546 because of the definitional differences contained in the bills.

It is my understanding that the intent underlying House Bill 260 is to ensure that group day care centers operating at irregular hours of the day, or on an all day basis, are not precluded from operating under existing licensing requirements. Further, the bill would establish a statutory limit as to the stay of a child at a center having extended hours. Under current law, a group day care center is permitted to operate "for part or all of a day." See, Md. Ann. Code, HG § 14-101(c) (1984 Cum. Supp.). Therefore, while existing law does not prevent the operation of a group day care center and several centers have been licensed while offering irregular hours, clarification of this point may be appropriate for legislation introduced at the 1986 Session of the General Assembly. By copy of this veto message to Secretary of Health and Mental Hygiene Wilzack, I am requesting that she review her existing authority to provide, by regulation, for limitations on the stay of a child in a center having extended hours as provided in House Bill 260. If such rulemaking cannot be accomplished, I will certainly support similar legislation in the 1986 Session as a valuable safeguard for our children.

Therefore, for the above reasons, I have decided to veto House Bill 260.

Sincerely,
Harry Hughes
Governor

May 20, 1985

The Honorable Harry Hughes
Governor of Maryland
State House
Annapolis, Maryland 21401

Re: House Bills 260 and 1290
Senate Bill 546