

VETOES

May 25, 1989

The Honorable R. Clayton Mitchell, Jr.  
Speaker of the House of Delegates  
State House  
Annapolis, Maryland 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 1103.

House Bill 1103 would prohibit the transfer or issuance of alcoholic beverage licenses for use in any business in Charles County that participates in a Food Stamp or other governmental food subsistence program. The bill only applies to licenses issued after July 1, 1989, and does not affect renewals of licenses.

This bill is contrary to the intent of food subsistence programs which are designed to make food more readily available to the economically disadvantaged. In rural communities, many outlets sell both food and alcoholic beverages. Since alcoholic beverage sales are generally more profitable than food sales, it is likely that retailers will simply refuse to handle Food Stamps while still selling alcoholic beverages. I am concerned that the effects of the bill would be to limit the number of food outlets that accept Food Stamps in Charles County, thereby increasing transportation costs and narrowing choices for poor families. In some instances, the result may be that the poor are forced to patronize stores charging higher prices.

I note that federal law provides adequate safeguards to ensure that Food Stamps are not used to purchase alcoholic beverages. Furthermore, in order for a retail business to participate in the Food Stamp program, it must have a recognized grocery department in which staple foods make up at least 50 percent of eligible food sales. See 7 CFR § 278 et seq. Indeed, it may be that federal law preempts such regulation on the state level.

Because this bill would set the undesirable precedent of placing unwarranted State impediments on Food Stamp recipients, I have vetoed House Bill 1103.

Sincerely,  
William Donald Schaefer  
Governor

House Bill No. 1103