

~~the Board and shall be a public record. A copy thereof (and of any amendments thereto) shall also be filed with the Department of Legislative Reference. When the Board sits to hear zoning appeals, the hearing shall be conducted by all members present and the concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision, or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any zoning ordinance or to effect any variation in such ordinance. In other cases, the Board may sit in panels of not less than two members each and, in such cases, the concurrence of at least two members shall be required to make a decision of the Board.~~

SECTION 2. AND BE IT FURTHER ENACTED, That, to the extent of any inconsistency between Article 66B, § 2.08(h) of the Annotated Code of Maryland, as amended by Section 1 of this Act, and Article VII, § 89 of the Baltimore City Charter, the changes under Section 1 of this Act may not be given effect until Article VII, § 89 of the Charter is amended in accordance with Article XI-A of the Constitution of Maryland.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1994.

May 26, 1994

The Honorable Thomas V. Mike Miller  
President of the Senate  
State House  
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 321.

Senate Bill 321 would authorize a retailer, as a condition of accepting a credit card as payment, to request the consumer to display a form of identification.

In 1990, the General Assembly enacted House Bill 643, Consumer Protection - Payments by Credit Card - Use of Consumer Identification Information. House Bill 643 prohibited a retailer from requesting or recording, on a credit card transaction form, the address or telephone number of a credit card holder as a condition of accepting a credit card as a form of payment for consumer credit, goods, real property, or services.

House Bill 643 was enacted to both combat credit card fraud and to prevent retailers from building mailing lists for their own business purposes or to sell to others. Although Senate Bill 321 was intended to further decrease credit card fraud, the bill creates a loophole which defeats the purpose of the current law. As drafted, Senate Bill 321 would enable a merchant to request the customer's identification and record the address and telephone number on something other than the credit card transaction form.

Merchants contend that viewing the customer's identification will prevent a thief from using a stolen credit card to make purchases. However, today's advanced technology enables credit card companies to keep track of stolen credit cards on a computer data