

(iii) It finds that the individual's or child's employment would be adversely affected because the individual or child has no reasonable alternative means of transportation to or from a place of employment; or

(iv) It finds that the individual's or child's education would be adversely affected because the individual or child has no reasonable alternative means of transportation for educational purposes.

SECTION 2. AND BE IT FURTHER ENACTED, That the publishers of the Annotated Code of Maryland shall, in consultation with the Department of Legislative Reference, correct any cross-references to the provisions of Article 27 of the Code affected by this Act.

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

May 26, 1994

The Honorable Casper R. Taylor, Jr.
Speaker of the House
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 256.

House Bill 256 would prohibit all "bring your own bottle" (BYOB) clubs in Worcester County established after January 1, 1994. Any BYOB club in existence before that date would be allowed to continue operating. As underscored by the Attorney General's review letter of May 19, 1994, House Bill 256 creates confusion because the existing statute, Article 2B, Section 86(k), already prohibits such establishments in Worcester County.

The bill "grandfathers" BYOB establishments that were in operation on, or prior to, January 1, 1994. It appears, however, that if such establishments were in operation prior to that time, they existed in violation of the statute. If the intent of House Bill 256 was to clarify the application of the statute in Worcester County, then the provision grandfathering apparently illegal BYOB establishments should not have been included.

House Bill 256 is ambiguous, given the language of the existing statute. If a problem exists with the interpretation of the statute in Worcester County, then a more clearly crafted bill is needed in order to clarify the intent of this prohibition.

For this reason, I have vetoed House Bill 256.

Sincerely,
William Donald Schaefer
Governor