

(A) A PRODUCER OR REFINER OF MOTOR FUEL MAY NOT INCLUDE IN ANY AGREEMENT OR CONTRACT ENTERED INTO WITH A SERVICE STATION DEALER ANY PROVISION THAT DIRECTLY OR INDIRECTLY LIMITS OR WAIVES ANY RIGHT OF THE DEALER TO:

(1) PETITION ANY GOVERNMENTAL AUTHORITY OR BODY; OR

(2) LAWFULLY ADVOCATE OR OPPOSE ANY GOVERNMENTAL OR REGULATORY ACTION WITH RESPECT TO ANY MATTER.

(B) ANY PROVISION IN AN AGREEMENT OR CONTRACT THAT VIOLATES THE PROVISIONS OF SUBSECTION (A) OF THIS SECTION IS DEEMED TO BE VOID AND UNENFORCEABLE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply to any agreement or contract entered into by a service station dealer and a producer or refiner of motor vehicle fuel before, on, or after the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

May 26, 1994

The Honorable Casper R. Taylor, 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 1658.

House Bill 1658 would establish a Childhood Lead Screening Program in the Department of Health and Mental Hygiene (DHMH), and a Lead Poisoning Outreach and Education Program in the Maryland Department of the Environment (MDE). The bill also would require MDE to assure statewide coordinated case management of children with elevated blood lead levels at, or above, 15 micrograms per deciliter (mcg/dl). Additionally, the bill would direct the program to focus its screening efforts on geographic areas with historically high incidence of childhood lead poisoning.

While I supported the intended purpose of House Bill 1658, I cannot sign the bill as enacted because the required case management threshold of 15 mcg/dl contained in the bill is unduly burdensome for MDE and the local health departments. Further, the 15 mcg/dl threshold is unnecessary, and conflicts with the case management provisions contained in the lead poisoning prevention bill (House Bill 760, Chapter 114 of the Acts of 1994), which I recently signed into law.