

(I) THAT LESS THAN 50% NOR MORE THAN 60% OF THE PREMISES OF THE RESTAURANT, OR LESS THAN 50% NOR MORE THAN 60% OF THE HOTEL OR MOTEL ROOMS BE SUBJECT TO THE SMOKING PROHIBITION; OR

(II) THAT THE STRUCTURAL OR ATMOSPHERIC CONDITIONS OF THE AREAS OF THE RESTAURANT, HOTEL, OR MOTEL BE MODIFIED.

(4) NOTWITHSTANDING THE PROVISIONS OF THIS SUBSECTION:

(I) A PROPRIETOR OF AN ESTABLISHMENT DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION MAY RESTRICT OR PROHIBIT SMOKING ON THE PREMISES OF THE ESTABLISHMENT; AND

(II) AN ENTITY DESCRIBED IN PARAGRAPH (2) OF THIS SUBSECTION AND A PROPRIETOR OF A RESTAURANT, HOTEL, OR MOTEL DESCRIBED IN PARAGRAPH (3) OF THIS SUBSECTION MAY RESTRICT OR PROHIBIT SMOKING TO A GREATER EXTENT THAN REQUIRED BY REGULATIONS ADOPTED UNDER THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed retroactively and shall be applied to and interpreted to affect the enforcement of any regulations, including COMAR 09.12.23.01 through .05, that have been ~~proposed or~~ adopted by the Secretary of Licensing and Regulation or the Commissioner of the Division of Labor and Industry that address the smoking or possession of tobacco products in establishments affected by 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 ye 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 24, 1995

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

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 2.

This bill changes the membership and procedure for electing the members of the Anne Arundel County Democratic Party central committee, by electing three members from each legislative district wholly contained within the County and one member from that portion of any legislative district partially contained in the County.