

May 27, 1999

The Honorable Casper R. Taylor, Jr.  
Speaker of the House  
State House  
Annapolis MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 763.

This bill clarifies that workers' compensation benefits for covered employees, or their dependents, of a governmental unit or quasi-public corporation should be offset only for payment of "similar" disability retirement benefits.

Senate Bill 314, which was passed by the General Assembly and signed by me on May 13, 1999, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 763.

Sincerely,  
Parris N. Glendening  
Governor

### House Bill 763

AN ACT concerning

#### Workers' Compensation - Offset of Benefits

FOR the purpose of clarifying that certain workers' compensation benefits should be offset only for a payment of certain disability retirement benefits; and generally relating to the offset of workers' compensation benefits.

BY repealing and reenacting, with amendments,  
Article - Labor and Employment  
Section 9-610(a)  
Annotated Code of Maryland  
(1991 Volume and 1998 Supplement)

#### Preamble

~~WHEREAS, In 1988, the Court of Appeals held in the Newman v. Subsequent Injury Fund case that a proper interpretation of the phrase "similar benefit" contained in Article 101, § 33(d) of the Code was that a workers' compensation award to a government employee could not be offset by the employee's length of service retirement benefits; and~~

~~WHEREAS, The application of the law as set forth by the Court of Appeals in the Newman v. Subsequent Injury Fund case has been consistent until recent case law; and~~