

House Bill No. 208—Baltimore Police Pension Fund

AN ACT to authorize and direct the Police Commissioner of Baltimore City to return all monies to William Delaney, 117 South Stricker Street that were contributed by him to the Pension Fund while he was a member of the Police Force of Baltimore City.

May 9, 1955

Honorable John C. Luber
Speaker of the House of Delegates
Annapolis, Maryland

Dear Mr. Speaker:

I am returning herewith without my approval, House Bill 208, which provides for refund of all contributions made to the Police Pension Fund by Mr. William Delaney, while serving as a member of the Baltimore City Police Department. The late Commissioner Ober recommended veto of this bill, which provides special treatment for a single individual different from all others similarly situated under the general provisions of the police pension law.

The bill recites that Mr. Delaney was dismissed in August, 1940, without ever having been disciplined for any infraction of the law or police regulations. The Police Department record is completely to the contrary. Although the basis for his separation from the service is immaterial, it is significant in another connection. Many persons have been separated from the service of the Police Department for other than disciplinary reasons. No matter how blameless the record of such former officers, neither they nor their surviving widows and children, can secure a refund of contributions to the pension fund.

While there is no sound or reasonable basis for discrimination in favor of one given individual, it nevertheless may well be that the long established general policy is unfair and unduly harsh. Compelling arguments can be made for the equitableness of return of all such contributions upon separation from the service, or at least for those falling in certain categories. Undoubtedly there is basis for an opposite view. In any event, a minimum requirement in any modification of the law should be general applicability to all similarly situated persons. The extent and desirability of any such modification involves many factors, including its cost, and this veto message is not to be considered as in any manner an expression of opinion, one way or the other by me upon the matter. As a matter of general policy, however, it would be extremely desirable if once and for all the question could be examined and finally determined so that the perennial host of bills for individual former members of the Police Department with their inevitable veto, could possibly be terminated. It would mean a saving of time not only for the legislative and executive departments, but also stop the practice of raising false hopes in the minds of those who would benefit by such legislation.

The entire matter would seem to be one for discussion between officials of Baltimore City, the Police Department and the City Legislative Delegation in order that the atmosphere may be cleared authoritatively. I have, accordingly, sent copies of this message to the Mayor of Baltimore City, the Acting Police Commissioner and the chairmen of the City Senate and House delegations at the last Session,