

Dear Mr. Speaker:

In accordance with Article II, Section 17, of the Maryland Constitution, I have today vetoed House Bill 1055.

This Bill provides that whenever the Superintendent of the Maryland State Police reduces in rank a noncommissioned police employee or reduces in rank a commissioned police employee during the employee's one-year probationary period, the demoted employee may request a hearing on such action by a Board of Review consisting of three members appointed by the Commissioner of Personnel.

House Bill 1055 is in my opinion inconsistent with a provision in House Bill 371 which was enacted by the General Assembly and was signed by me on April 28, 1970. House Bill 371 created a Department of Public Safety and Correctional Services headed by a Secretary, and it placed the Maryland State Police within the Department of Public Safety and Correctional Services. House Bill 371 adds two new sections to Article 41 of the Annotated Code of Maryland, Sections 204B(c) and 204C(c), which, taken together, vest full power in the Secretary of Public Safety and Correctional Services to review directly all personnel actions taken by the Superintendent of the Maryland State Police. Furthermore, personnel actions of the Superintendent should be directly reviewed by the Secretary, who will be the Superintendent's immediate superior, rather than review by a board appointed by the Commissioner of Personnel.

In addition, the Superintendent of the Maryland State Police has requested that I veto House Bill 1055 for the above-mentioned reasons as well as for other reasons set forth in the Superintendent's letter. The letter is attached herewith and should be considered a part of this message.

In light of the foregoing, I have decided to veto House Bill 1055.

Sincerely,

/s/ MARVIN MANDEL,
Governor.

Letter from Maryland State Police on House Bill 1055

May 7, 1970.

Mr. John Eldridge
Governor's Office
Annapolis, Maryland 21404

Dear Jack:

Confirming our telephone conversation today, I believe it advisable to bring to your and the Governor's attention my views regarding House Bill 1055 which was passed by this year's session of the General Assembly.

While I agree with the philosophy of the Bill to the extent that an employee is entitled to some administrative review or appeal if a decision is made that he is to be demoted, nevertheless I feel that this legislation has some fundamental defects.