

In accordance with Article II, Section 17 of the Constitution of Maryland, I have today vetoed House Bill 1477.

This bill requires the appointment of additional consumer members to certain boards established under the State Department of Health and Mental Hygiene.

As originally drafted, House Bill 1477 required the appointment of two persons, as consumer representatives, to every board, commission, council, or any other regulatory body or office established under State law or court rule, except for such bodies in the State Department of Licensing and Regulation. During the legislative process, amendments were adopted to the bill which drastically altered its application. House Bill 1477 now requires the appointment of "one or more" persons to any board in the Department of Health and Mental Hygiene which has "jurisdiction over a group of persons engaged in a particular occupation...". Specifically excluded are the Boards of Medical Examiners and Examiners of Nurses.

As a result of the amendments adopted to House Bill 1477, I believe that it is fraught with so many ambiguities as to jeopardize its laudable purpose in the application of its provisions.

House Bill 1477 applies to at least 15 boards and commissions in the Department. It will allow the appointment to these boards and commissions of any number of persons as consumer representatives if they are "qualified by experience to represent the interests of consumers of the service...", and if they have no "financial interest in any person subject to the jurisdiction of a respective board." There are obvious problems created by attempting to amend the composition of so many regulatory boards by general reference. I do not believe that it is in the best interests of the State to allow the open-ended appointment of consumer members to these boards. In addition, a definition of the term "financial interest", as it may apply to these appointees, is totally lacking in the bill.

Current law provides for the appointment of consumer representatives or members of the general public to 7 of the boards and commissions affected by House Bill 1477. Yet the bill requires the appointment of "additional" consumer members to all of these bodies. This practice may severely complicate the current balanced composition of these groups.

I am fully supportive of the concept of House Bill 1477. In fact, I have taken steps to implement the provisions of a similar law passed in 1974 which requires the appointment of consumer representatives to regulatory groups within the Department of Licensing and Regulation.