

FOR the purpose of authorizing the Secretary of Personnel, whenever a classified position is abolished and the duties of that position are assumed by persons in other filled, classified positions, upon notice by the head of the agency or department to the Secretary of Personnel; to audit the positions on assuming the additional duties and reclassify such positions to a higher classification if the persons in these positions are determined to be performing the required duties ~~with superior efficiency and effort~~; and requiring annual reports concerning the use of this procedure; and providing for a certain phasing out date.

May 29, 1978

Honorable John Hanson Briscoe
Speaker of the House of Delegates
State House
Annapolis, Maryland 21404

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 1947.

This bill authorizes the Secretary of Personnel to audit and reclassify positions to which are assigned additional duties as a result of the abolition of another classified position. Detailed annual reporting to the General Assembly of each such action is required.

The Secretary of Personnel has reminded me that Section 16(a) of Article 64A now provides that "Any change in the duties of a position, if material, shall operate to abolish it and create a new position which shall be classified under this section". The Secretary has also advised me that, in his opinion, the reporting requirements of House Bill 1947 are somewhat unclear and may be administratively cumbersome.

I believe that the signing of House Bill 1947 will simply add to Section 16 of Article 64A further language regarding the reclassification of positions in the cases described in the bill. The result can only be to confuse the existing law which already protects the employee who is required to assume additional, material duties.

For these reasons, and at the request of the Secretary of Personnel, I have decided to veto House Bill 1947.

Sincerely,
Blair Lee III
Acting Governor
