

WILLIAM DONALD SCHAEFER, Governor

Bills and Messages

June 2, 1987

The Honorable Thomas V. Mike Miller
President of the Senate
State House
Annapolis, Maryland 21404

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 81.

This bill deals with the relationship between the Board of Public Works and the statutory committees of the General Assembly in the establishment of the principal rules, regulations, and procedures governing the Public School Construction Program. However, the bill is ambiguous in whether it requires prior consultation or prior approval by the Legislative Policy Committee.

The purpose clause of Senate Bill 81 describes its purpose as:

"requiring prior consultation with the Legislative Policy committee for certain changes in the rules, regulations, or procedures of the Public School Construction Program prior to adoption by the Board of Public Works; authorizing the Legislative Policy Committee to reject certain changes in the rules, regulations, or procedures of the Public School Construction Program within a certain time period;".

This ambiguity is likewise reflected in the language of the bill. The bill would add a new sub-section (g)(2) to Section 5-301 of the Education Article, providing that:

"The Board of Public Works may not, without prior consultation with the Legislative Policy Committee of the Maryland General Assembly, adopt or approve any proposed change in the rules, regulations, or procedures authorized by this section [that relate to eligible expenditures or could have an impact of more than \$500,000 on the Public School Construction Program]." (Emphasis added)

Sub-section (g)(3) of the same Section provides that:

"Any proposed change in the rules, regulations, or procedures authorized by this Section shall be presented to the Legislative Policy Committee of the Maryland General