

WILLIAM DONALD SCHAEFER, Governor

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed only prospectively and may not be applied or interpreted to have any effect upon or application to any adoption or guardianship for which a final decree was entered before July 1, 1987, nor to any adoption or guardianship in which a petition has been filed, but proceedings are pending as of July 1, 1987. However the amendment by this Act of provisions of law in effect prior to the effective date of this Act may not be construed to preclude the application of those provisions of law to any adoption or guardianship for which a final decree was entered before July 1, 1987, nor to any adoption or guardianship proceeding pending as of the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1987.

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 860.

Senate Bill 860 would allow a law enforcement officer to waive the rights in the Law Enforcement Officers' Bill of Rights and elect to be covered by the terms of a collective bargaining agreement. The rights under the Law Enforcement Officers' Bill of Rights could be supplemented or expanded by law or by a provision of a collective bargaining agreement, but could not be diminished or abrogated.

When the Law Enforcement Officers' Bill of Rights was enacted in 1973, its intent was to secure for law enforcement officers minimum guarantees of procedural and substantive due process. Few, if any, police officers were under collective bargaining agreements at that time. Now, most major jurisdictions in the State have collective bargaining with their officers.

Although there is some confusion as to whether collective bargaining may address a subject covered by the Law Enforcement Officers' Bill of Rights, I do not feel that Senate Bill 860 provides the correct solution. Under this legislation, police officers in different jurisdictions would be able to elect to be