

VETOES

[(2)] (3) If a law enforcement officer is offered summary punishment imposed pursuant to § 734A and refuses, the chief may convene a one-member or more hearing board and the hearing board shall have only the authority to recommend the sanctions as provided in this subtitle for summary punishment. If a single member hearing board is convened, that member need not be of the same rank. However, all other provisions of this subtitle shall apply.

731.

(d) (1) Notwithstanding any other provisions of this subtitle, THE DECISION OF THE HEARING BOARD, BOTH AS TO FINDINGS OF FACT AND PUNISHMENT, IF ANY, IS FINAL:

(I) [if] IF a chief is an eyewitness to the incident under investigation[, the decision of the hearing board, both as to findings of fact and punishment, if any, is final]; OR

(II) IF AN AGENCY OR ITS SUPERIOR GOVERNMENTAL AUTHORITY HAS AGREED WITH AN EXCLUSIVE COLLECTIVE BARGAINING REPRESENTATIVE RECOGNIZED OR CERTIFIED UNDER APPLICABLE LAW THAT THE DECISION IS FINAL.

(2) THE PROVISIONS OF PARAGRAPH (I)(II) OF THIS SUBSECTION MAY NOT BE THE SUBJECT OF BINDING ARBITRATION.

+2+ (3) The decision then may be appealed in accordance with § 732 of this subtitle.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1989.

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May 25, 1989

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
State House  
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 99.

This bill repeals the exemption to the child abuse reporting statute for health practitioners who treat pedophilia.