

officer in charge of such fire company or ambulance company, and if the fire police is not a member in good standing of such fire company or ambulance company, then he may not perform his duties as described in this section. Any duly authorized fire police performing his duties at any public function conducted by, or under the auspices of, a fire company or ambulance company, shall be subject to the authority of the officer in charge of such company.

(4) The sheriff of the county may require any fire police to demonstrate a satisfactory level of training in those areas of law enforcement commensurate with the duties of the fire police as described in this section. If the sheriff of the county shall require a demonstration of a satisfactory level of training, then the training shall be provided by the sheriff of the county, at a time and place as he shall deem suitable.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1995.

May 24, 1995

The Honorable Casper R. Taylor, Jr.
Speaker of the House of Delegates
State House
Annapolis, Maryland 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 440.

The bill removes any gapped wooden deck with a pervious surface underneath, as well as the water surface of a swimming pool, from the calculation of man-made impervious surfaces under the Critical Area Law.

The purpose of the impervious surface limitations for areas along the tidal waters of the State is to reduce the runoff from these surfaces into the waters of the Chesapeake Bay and to minimize the impact of impervious surfaces on habitat areas that could be created adjacent to the tidal waters of the Bay. The limitations serve to minimize impact to water quality, and help to conserve fish, wildlife, and plant habitat.

The Department of Natural Resources has advised me that at least six local jurisdictions, through their local planning and zoning provisions, allow for these structures, but they require mitigation and other steps to maintain water quality.

The difficulty with this bill is that it creates a statewide exemption for decks and swimming pools without any of the protective measures other jurisdictions require. As such, the bill serves to undercut the efforts of other jurisdictions to lessen the impact of these structures on the Bay. While I understand the concerns of property owners in Baltimore County who may be limited in their ability to use their property as they may wish, the bill's reach is statewide, and it requires none of the accommodations or mitigation efforts that other jurisdictions have required.

According to the Department of Natural Resources, the Joint Legislative Oversight