

THE EDUCATION ARTICLE AND § 13-613(D)(1) OF THE TRANSPORTATION ARTICLE, AND
MAY NOT BE USED FOR ADMINISTRATIVE EXPENSES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
July 1, 2000.

May 17, 2000

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

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution; I have today vetoed House Bill 1252 - Compensation for Work Performed by Essential Employees During Hurricane Floyd.

House Bill 1252 provides that essential employees of any unit or agency of the executive branch of State government who, due to the weather-related emergency resulting from Hurricane Floyd, were required to report to work in Anne Arundel, Cecil, Harford, or Kent County on September 16, 1999 during the full-day closing period of 6:00 a.m. to the end of the day shift, are entitled to receive compensatory time or additional pay, as appropriate. These employees would be credited with two hours of work time for each hour actually worked during the weather-related emergency situation. Any payments would be funded from the Catastrophic Event Fund in the State Reserve Fund.

On September 16, 1999, State operations in ten counties were closed due to the weather-related emergency resulting from Hurricane Floyd. These counties included three Southern Maryland counties and seven Mid-and Lower-Eastern Shore counties. A liberal leave policy was in effect for all other non-essential State employees, and essential employees were required to report to work. In the ten counties where State offices closed, non-essential employees who stayed home were paid and not required to take leave. Essential employees received premium pay, which usually consists of being credited 2 hours of work time for each hour actually worked. In counties where State offices remained opened, all employees were paid for a normal day's work and those employees who stayed home were charged leave.

In a weather related emergency, the Governor must assess, using the best information available, the weather conditions across the State and implement a personnel policy that protects the safety of State employees while ensuring that State services will be available to the public. Such a decision was made in this instance. These decisions should not be second-guessed each time concerns are raised by employees who were required to work during the weather event.

House Bill 1252 too deeply intervenes in the management responsibility of the Governor of Maryland.

In addition, the provisions of House Bill 1252, even if I agreed with the policy decision, are inequitable. Under the bill, many essential employees performed their