

- (2) analyze best practices used in other states to combat this problem;
- (3) analyze the benefits of a statewide individualized education program (IEP) form;
- (4) pursue any other tasks that may reduce paperwork or reduce intrusions on time that detract from the quality of teaching and learning; and
- (5) on or before December 31, 2003, report its findings and recommendations, including any proposed statutory changes to the Governor and, in accordance with § 2-1246 of the State Government Article, to the General Assembly for consideration by the General Assembly in the 2004 regular session.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2003. It shall remain effective for a period of 1 year and 7 months and, at the end of December 31, 2004, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

May 21, 2003

The Honorable Michael E. Busch  
Speaker of the House  
State House  
Annapolis, MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution today I have vetoed House Bill 879 – State Government – State Law Enforcement Officers – Application for Lost Pay and Attorneys' Fees.

House Bill 879 authorizes the Board of Public Works to approve payment of lost wages and reasonable attorney's fees resulting from a suspension without pay to an applicant from a State law enforcement agency, less any amount for lost wages due to unrelated administrative suspension or disciplinary action, if: (1) the suspension occurred as a result of one or more criminal charges filed against the applicant; and (2) the final disposition of each charge resulted in a dismissal, nolle prosequi, or acquittal. The bill prohibits the Board of Public Works from approving payment to a law enforcement applicant if the applicant is terminated from employment as a result of an administrative proceeding resulting from the same criminal charges or the applicant resigns before resuming duties for pay. The bill applies retroactively to any claims for lost wages and attorney's fees filed on or after September 25, 2000.

Currently, the Board of Public Works has authority to award a State law enforcement officer lost wages and reasonable attorney's fees if the officer has been charged with a crime and the charges do not result in a guilty plea, a plea of nolo contendere, or a finding of guilt. There are no limitations on the board awarding lost wages. To that extent, House Bill 879 limits the current authority of the Board to award lost wages. I do not think the fact that an individual resigns from his position before resuming paid duties should automatically disqualify the individual from receiving lost wages.

Under current law, before the Board of Public Works may award attorney's fees, the