

effective date of this Act, but the provisions of this Act concerning the salary or compensation of the clerk of each circuit court shall take effect at the beginning of the next following term of office.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002.

May 15, 2002

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

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 31 – Administrative Procedure Act – Contested Cases – Time Limit for Making Final Decision.

Senate Bill 31 provides that in certain circumstances the final administrative decision in a contested case must be made within 90 days after exceptions to the proposed final decision are filed or argument is presented before the final decision is rendered, whichever is later. The bill applies to any proposed decision issued in a contested case after the bill's October 1, 2002 effective date.

During the 2001 Interim and the 2002 Legislative Session, the Department of the Environment, environmental organizations, legislators and representatives of the business community carefully negotiated and reached agreement on two bills, Senate Bill 848 and House Bill 1229. These bills, which I will sign on May 16, 2002, streamline the contested case hearing process for a specific group of environmental permits where there was a demonstrated need for reforming the contested case hearing process. Senate Bill 31 would broadly impose an arbitrary deadline in all contested case hearings for final decisions in all State agencies, including personnel, enforcement and permit issues. At this time, it would not be appropriate to limit the appeals process in the Administrative Procedure Act without proper consideration of the relevant issues, and demonstration of a compelling reason to modify the current hearing process.

For the above reasons, I have vetoed Senate Bill 31.

Sincerely,
Parris N. Glendening
Governor

Senate Bill No. 31

AN ACT concerning

**Administrative Procedure Act – Contested Cases – Time Limit for Making
Final Decision**