

B: (1) Subject to [the qualifications under Paragraph] PARAGRAPHS (2)(B) AND (3) of this [subsection] SUBSECTION, the Sheriff may appoint, without examination, [a Captain,] COMMAND-LEVEL PERSONNEL who shall serve in [that] THE position ASSIGNED BY THE SHERIFF AND at the pleasure of the Sheriff.

(2) The County Commissioners AND THE SHERIFF shall [set]:

(A) SET the [salary of the Captain] NUMBER, RANK, AND SALARIES OF COMMAND-LEVEL POSITIONS; AND

(B) APPROVE THE CREATION, CONTINUED EXISTENCE, FUNDING, OR REESTABLISHMENT OF A COMMAND-LEVEL POSITION.

(3) (A) Only a deputy sheriff who holds the permanent rank of Sergeant or Lieutenant in the St. Mary's County Sheriff's office is eligible for appointment to [Captain] A COMMAND-LEVEL POSITION.

(B) THE AUTHORITY OF THE SHERIFF TO APPOINT AND ASSIGN A COMMAND-LEVEL POSITION IS SUBJECT TO THE APPROVAL OF THE COUNTY COMMISSIONERS.

(4) While serving [as Captain] IN A COMMAND-LEVEL POSITION, an individual may participate IN THE[.]:

(a) [In the] Sheriff's officer retirement plan[.]; AND

(b) [In the competitive] COMPETITIVE promotional process for the next rank above the individual's permanent rank.

(5) When the appointment [of the Captain] TO A COMMAND-LEVEL POSITION ends BY AN ACTION OF THE SHERIFF, IN A FAILURE OF THE COUNTY COMMISSIONERS TO FUND THAT POSITION, OR BY THE RESCISSION OF APPROVAL FOR THAT COMMAND-LEVEL POSITION, [the Captain] THE INDIVIDUAL SERVING IN THAT POSITION shall return to the rank held before being appointed [to Captain] or, if the [Captain] INDIVIDUAL qualified for a higher rank while serving as [Captain] A COMMAND-LEVEL APPOINTEE, to the higher rank.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2004.

May 26, 2004

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, I have today vetoed House Bill 1067 - *State Council on Cancer Control - Cervical Cancer Committee of the Maryland Comprehensive Cancer Control Plan.*