

(V) THAT (VI) THE PORTION OF WARD 17, PRECINCT 1,
SOUTH OF WEST FRANKLIN STREET.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to the 39th legislative district of Baltimore City as it was configured on January 1, 1991.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1992.

May 26, 1992

The Honorable R. Clayton Mitchell, 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 682.

This bill allows a former employee of the Community College of Baltimore who was reemployed as a classified State employee by the New Community College of Baltimore to transfer years of former service as a Baltimore City employee to determine annual leave and any layoff rights.

In fiscal year 1990, legislation was passed authorizing the State to provide full funding to the Community College of Baltimore. Employees of the City of Baltimore who wished to continue in their former jobs were required to terminate their employment with the City, and enter State service as a new employee on a probationary basis. Independent of an employee's tenure with Baltimore City, an amount of sick leave based on any sick leave accumulation was granted.

I am opposed to House Bill 682 because it conflicts with the personnel policies applicable to an organization which is abolished under one jurisdiction and recreated as a new State organization. Only when an organization is transferred from one jurisdiction to the State is an employee eligible for annual leave and layoff rights. The New Community College of Baltimore was not transferred from the City to the State but was abolished by the City and recreated by the State as a new organization denied of collective bargaining obligations.

The Administration has been consistent in its treatment of employees in institutions that were abolished by the owning jurisdiction and created as a new State institution. For example, the former employees of the Baltimore City Jail who were hired by the Baltimore City Detention Center in 1991 were not given the benefits authorized in this legislation. Signing House Bill 682 generates an inequity among employees and most certainly will encourage those employees to challenge the absence of similar benefits.

For those reasons, I have today vetoed House Bill 682.