

Exhibit B
Senate Bill 227/
House Bill 1209
1988

VETOES

(6) Information that relates to the inability of the principal to obtain adequate bonding on reasonable terms through normal channels;

(7) Information that relates to the financial status of the principal, including:

(i) A current balance sheet;

(ii) A profit and loss statement; and

(iii) Credit references;

(8) A schedule of all existing and pending contracts and the current status of each; and

(9) Any other relevant information that the Authority requests.

(c) After receipt of an application for assistance from the Maryland Small Business Surety Bond Guaranty Program, the Authority may determine that a principal shall provide an audited balance sheet before the Authority makes its decision on the application.

(D) IF A PRINCIPAL HAS EVER DEFAULTED ON ANY LOAN OR GUARANTY PROVIDED BY THE AUTHORITY, THE AUTHORITY MAY NOT APPROVE A GUARANTY UNDER THIS PART VI.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1988.

May 27, 1988

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

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 227.

This bill is very similar to Senate Bill 860 of 1987, which I vetoed on June 2, 1987.

WILLIAM DONALD SCHAEFER, Governor

The Law Enforcement Officers' Bill of Rights (LEOBR) establishes a uniform system of police discipline throughout the State. As I noted last year, the intent in enacting the LEOBR was to secure for law enforcement officers minimum guarantees of procedural and substantive due process. Although most major jurisdictions now have collective bargaining with their officers, at the time of the enactment of the Bill of Rights, few, if any, police officers had such a status.

Most observers agree that the LEOBR has served its purpose well. The rights of law enforcement officers are clearly defined and, as noted above, are uniform throughout Maryland. The uniformity of the system enhances its effectiveness and the public's confidence in law enforcement. Senate Bill 227 would erode the uniformity of the system by allowing police officers in different jurisdictions to elect to be covered by the terms of the collective bargaining agreement in effect in that jurisdiction. The result would be, as stated in my letter last year, "an inconsistent application of the Law Enforcement Officers' Bill of Rights and a patchwork of supplemental protections under collective bargaining agreements." In addition, these protections could be altered on a yearly basis as various collective bargaining agreements were renegotiated.

In one respect, SB 227 is more problematical than SB 860 of 1987. The legislation last year would have required the officer, in making the election, to choose either the LEOBR or the rights and guarantees of a collective bargaining agreement. SB 227 would allow the officer to waive "any or all rights" provided by the LEOBR in comparing those provisions with the protections of a collective bargaining agreement. Being thus allowed to pick and choose among the various protections of the LEOBR, the resulting confusion and inconsistency could be very damaging.

I am aware of arguments that the legislation only clarifies procedural conflicts between the LEOBR and collective bargaining agreements. However, the actual language of the bill and the concerned arguments of those requesting a veto have convinced me to be cautious. I continue to believe that great weight should be given to the Law Enforcement Officers' Bill of Rights in any interplay between it and collective bargaining agreements.

For these reasons, I have today vetoed SB 227.

Sincerely,
William Donald Schaefer
Governor

Senate Bill No. 227

VETOES

AN ACT concerning

Law Enforcement Officers' Bill of Rights -
Election of Procedures

FOR the purpose of allowing an individual law enforcement officer to elect certain rights under a collective bargaining agreement as an alternative to rights provided by the Law Enforcement Officers' Bill of Rights; specifying that certain rights may not be diminished or abrogated by certain legislative action or by any collective bargaining agreement; specifying that certain rights may be supplemented or expanded by certain legislative action or by a collective bargaining agreement; specifying that this Act does not create collective bargaining rights unless specifically provided for by certain legislative action; and generally relating to waiver of the Law Enforcement Officers' Bill of Rights and to collective bargaining.

BY repealing and reenacting, with amendments,

Article 27 - Crimes and Punishments
Section 734B and 734D
Annotated Code of Maryland
(1982 Replacement Volume and 1987 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 27 - Crimes and Punishments

734B.

Except for the administrative hearing process provided for in Article 41, § 4-201 concerning the certification enforcement power of the Police Training Commission, AND SUBJECT TO THE PROVISIONS OF § 734D OF THIS SUBTITLE, the provisions of this subtitle shall supersede any State, county or municipal law, ordinance, or regulation that conflicts with the provisions of this subtitle, and any local legislation shall be preempted by the subject and material of this subtitle.

734D.

(A) Any officer may waive in writing any or all rights provided in this subtitle, AND MAY ELECT, IN THE ALTERNATIVE, THE PROCEDURAL OR SUBSTANTIVE RIGHTS OR GUARANTEES PROVIDED UNDER A COLLECTIVE BARGAINING AGREEMENT.

(B) (1) THE RIGHTS PROVIDED IN THIS SUBTITLE MAY NOT BE DIMINISHED OR ABROGATED BY ANY LAW, ORDINANCE, OR REGULATION OF A

WILLIAM DONALD SCHAEFER, Governor

MUNICIPAL CORPORATION, COUNTY, OR BICOUNTY AGENCY, OR BY ANY PROVISION OF ANY COLLECTIVE BARGAINING AGREEMENT.

(2) ALL RIGHTS PROVIDED IN THIS SUBTITLE MAY BE SUPPLEMENTED OR EXPANDED BY A LAW, ORDINANCE, OR REGULATION OF A MUNICIPAL CORPORATION, COUNTY, OR BICOUNTY AGENCY, OR THE STATE, OR BY ANY PROVISION OF ANY COLLECTIVE BARGAINING AGREEMENT.

(C) THIS SECTION MAY NOT BE CONSTRUED TO CREATE ANY RIGHT TO COLLECTIVELY BARGAIN IN ANY MUNICIPAL CORPORATION, COUNTY, OR BICOUNTY AGENCY, OR THE STATE, UNLESS SPECIFICALLY PROVIDED FOR BY A LAW, ORDINANCE, OR REGULATION OF A MUNICIPAL CORPORATION, COUNTY, BICOUNTY AGENCY, OR THE STATE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1988.

May 27, 1988

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

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 247.

This bill alters the number of judges in the Circuit Courts and District Court of the State.

House Bill 895, which was passed by the General Assembly and signed by me on May 17, 1988, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 247.

Sincerely,
William Donald Schaefer
Governor

Senate Bill No. 247

AN ACT concerning

Judgeships - Circuit and District Courts