

ethics law. When local ethics requirements were established by the State Ethics Commission nearly 20 years ago, the Commission determined that these employees were local employees covered under local ethics laws. There have been several court decisions, however, which have raised doubts as to a county's authority over these employees and this bill would have clarified legislative intent that these employees fall under local ethics laws. The legislation was amended by the General Assembly in two significant ways. First, the bill was amended to place local employees in the Office of the Sheriff and the Office of State's Attorney under the State ethics law rather than local ethics laws. Second, these employees were given a blanket exemption from having to file a financial disclosure statement with the State Ethics Commission.

As a result of the above amendments, the State Ethics Commission has requested a veto of its own legislation. While the Commission still believes that the best approach is to have local ethics laws cover employees in the Office of the Sheriff and the Office of State's Attorney, it accepts that the General Assembly has now expressed a clear intent that these employees be covered under the State ethics law. The Ethics Commission has strong objections, however, to granting a blanket financial disclosure exemption to all these employees. In its letter requesting a veto, the Commission's Executive Director states, "the financial disclosure exemption provisions . . . substantially reduce the credibility of the Ethics law as to the public and other employees of the State who are required to file disclosure. There is no rationale in the legislative record or outside the record that could justify all employees of the State's Attorney's Offices and Sheriff's Offices being exempt from financial disclosure no matter what their duties while having 8,000 other employees from other agencies in all three branches of government file disclosure if they meet the standards under the Law." The Commission notes that under current law, many Assistant Attorneys General and members of the Maryland State Police must file financial disclosure statements.

Based on the recommendations of the State Ethics Commission, I am vetoing House Bill 108. I agree with the Commission that it has, and should continue to have, the responsibility to determine what positions are subject to the financial disclosure requirements. That is the process used for all other State positions, and it is the process that should be used for employees in the offices of the Sheriffs and State's Attorneys.

For the above reasons, I have vetoed House Bill 108.

Sincerely,
Parris N. Glendening
Governor

House Bill No. 108

AN ACT concerning

**Public Ethics - ~~Local Officials~~ Executive Unit - Offices of Sheriffs and
State's Attorneys**