

May 15, 2007

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, today I have vetoed House Bill 988 – *State Board of Dental Examiners – Restructuring and Licensee Protection*. I have done so because, due to a technical error, the enrolled bill that actually passed was not the version the General Assembly believed it enacted, and thus it does not reflect legislative intent.

House Bill 988 as originally filed would have made substantial changes to the operation of the State Board of Dental Examiners. As it moved through the House and Senate, numerous amendments to the bill altered its scope significantly. An inadvertent procedural error on *sine die*, however, resulted in the enactment of the wrong set of amendments to the bill. The amendments that passed are not the amendments that were adopted by the Senate Education, Health, and Environmental Affairs Committee (EHEA) and described in the EHEA floor report. They are also not the amendments with which the House Health and Government Operations Committee believed it concurred, and that were described on the House floor before the House concurred with the Senate amendments.

While I have vetoed the bill because it does not reflect legislative intent, I believe that concerns about potential bias and inequities in the way the Board operates should be addressed nonetheless. To that end, I have directed the Department of Health and Mental Hygiene's Inspector General to conduct an audit of the last five years of the Board's complaint files, and to report back to me and to the General Assembly on his findings. This audit would have been mandated by the version of House Bill 988 the General Assembly intended to enact, and it will enable us to address next Session any problems that may be uncovered by the Inspector General.

For the above stated reason, I have vetoed House Bill 988.

Sincerely,

Martin O'Malley
Governor