

2009

EXHIBIT A

2008 Vetoed House Bills

May 22, 2008

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 90 – *Child Welfare – Permanency Planning and Interstate Placement of Foster Children*.

This bill alters the factors a juvenile court is required to consider in making specified findings in permanency planning and review hearings. This bill increases, from 7 to 10, the number of days' notice a local department of social services is required to give to specified persons before permanency planning and review hearings. This bill also requires the court to consult with the child on the record in an age appropriate manner at least every 12 months at a permanency planning or review hearing.

Senate Bill 57, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 90.

Sincerely,

Governor

House Bill 90

AN ACT concerning

Child Welfare – Permanency Planning and Interstate Placement of Foster Children

FOR the purpose of altering the factors a juvenile court is required to consider in making certain findings in certain hearings; altering the number of days' notice a local department of social services is required to give to certain persons before certain hearings; specifying the contents of the notice; requiring the notice to be in writing, unless waived for good cause; clarifying that certain persons have the right to be heard at certain hearings; requiring the court to consult with a child in a certain manner at certain hearings; requiring a local department to consider certain placements for certain

children; correcting an obsolete reference; and generally relating to children in out-of-home placement.

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–816.1(c)(3) and 3–823(i) and (j)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 3–823(k)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article – Family Law
Section 5–525(d) and (e)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

May 22, 2008

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 241 – *Anne Arundel County – Health Department – License Fees for Food Establishments*.

This bill requires the Anne Arundel County Council to provide for a license fee schedule based on anticipated costs of licensing, inspecting, and regulating food establishments. This bill adds Anne Arundel County to the list of counties that are exempt from limitations on the amount a county may charge for specified fees for obtaining a license to operate a food establishment.

Senate Bill 121, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 241.

Sincerely,

Governor

House Bill 241

AN ACT concerning

Anne Arundel County – Health Department – License Fees for Food Establishments

FOR the purpose of requiring the Anne Arundel County Council to provide for a certain license fee schedule based on certain anticipated costs; adding Anne Arundel County to the list of counties that are exempt from limitations on the amount a county may charge for certain fees to obtain a license to operate a food establishment; and generally relating to certain license fees in Anne Arundel County.

BY repealing and reenacting, with amendments,
Article – Health – General
Section 21–308
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

May 22, 2008

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 314 – *Garrett County – County Commissioners – Agricultural Districts*.

This bill requires the Board of Garrett County Commissioners to adopt specified rules, regulations, and procedures in accordance with specified requirements for the establishment of agricultural districts in Garrett County. This bill also prohibits specified rules, regulations, and procedures from requiring a natural gas rights owner or lessee to subordinate its interest to the Commissioners' interest under specified circumstances. Further, the bill prohibits the purchase of specified easements in Garrett County under specified circumstances.

Senate Bill 260, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 314.

Sincerely,

Governor

House Bill 314

AN ACT concerning

Garrett County – County Commissioners – Agricultural Districts

FOR the purpose of requiring the Garrett County Board of County Commissioners to adopt certain rules, regulations, and procedures in accordance with certain requirements for the establishment of agricultural districts in Garrett County; prohibiting certain rules, regulations, and procedures adopted by the Commissioners from requiring a natural gas rights owner or lessee to subordinate its interest to the Commissioners' interest under certain circumstances; prohibiting the Maryland Agricultural Land Preservation Foundation from purchasing certain easements in Garrett County under certain circumstances; providing for the construction of this Act; defining certain terms; and generally relating to agricultural districts in Garrett County.

BY adding to

Article 25 – County Commissioners

Section 237

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

May 22, 2008

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 318 – *Anne Arundel County – Prospective or Current Employees or Volunteers – Criminal History Records Checks*.

This bill changes requirements for the Personnel Officer of Anne Arundel County to request State and national criminal records checks from the Criminal Justice Information System Central Repository for a prospective or current employee or volunteer. This bill also requires the Personnel Officer to submit specified items to the Central Repository. Further, the bill requires the Central Repository to forward the criminal history information to the prospective or current employee or volunteer and the Personnel Officer.

Senate Bill 252, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 318.

Sincerely,

Governor

House Bill 318

AN ACT concerning

Anne Arundel County – Prospective or Current Employees or Volunteers – Criminal History Records Checks

FOR the purpose of altering the requirements for the ~~Director of Administration~~ Personnel Officer of Anne Arundel County to request State and national criminal records checks from the Criminal Justice Information System Central Repository for a prospective or current employee or volunteer; requiring the ~~Director of Administration~~ Personnel Officer of Anne Arundel County to submit certain items to the Central Repository; requiring the Central Repository to forward the prospective or current employee's or volunteer's criminal history information to the prospective or current employee or volunteer and the ~~Director of Administration~~ Personnel Officer

of Anne Arundel County; providing that certain information obtained from the Central Repository is confidential, may not be redisseminated, and may only be used for a certain ~~employment~~ personnel-related purpose; authorizing the subject of a certain criminal history records check to contest the contents of a certain printed statement; ~~authorizing~~ requiring the County Council to adopt guidelines to carry out this Act; defining a certain term; and generally relating to criminal history records checks for prospective or current employees or volunteers in Anne Arundel County.

BY repealing and reenacting, with amendments,
 Article – Criminal Procedure
 Section 10–231
 Annotated Code of Maryland
 (2001 Volume and 2007 Supplement)

May 22, 2008

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 437 – *Harford County – Alcoholic Beverages – Repeal of Class BDR Licenses – Additional Class B Licenses*.

This bill repeals in Harford County the Class BDR (deluxe restaurant) beer, wine and liquor license and all of the privileges, location restrictions, requirements, and other provisions associated with the Class BDR license. The bill also specifies when an independent ownership interest is presumed to exist for a specified purpose and increases to 9, the maximum number of Class B licenses that may be issued to an individual for the use of specified persons.

Senate Bill 62, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 437.

Sincerely,

Governor

House Bill 437

AN ACT concerning

**Harford County – Alcoholic Beverages – Repeal of Class BDR Licenses –
Additional Class B Licenses**

FOR the purpose of repealing in Harford County the Class BDR (deluxe restaurant) beer, wine and liquor license and all of the privileges, location restrictions, requirements, and other provisions associated with the Class BDR license; specifying when an indirect ownership interest is presumed to exist for certain purposes; increasing the maximum number of Class B licenses that may be issued to an individual for the use of certain persons; and generally relating to alcoholic beverages licenses in Harford County.

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 6–201(n)(1)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing
Article 2B – Alcoholic Beverages
Section 6–201(n)(6)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section 9–101(k)(7)(ii) and 9–213(e) and (j)
Annotated Code of Maryland
(2005 Replacement Volume and 2007 Supplement)

May 22, 2008

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 442 – *Deferred Retirement Option Program Participants – Application of Line of Duty Disability Benefits*.

This bill limits the circumstances under which retirees of the State Police Retirement System or the Law Enforcement Officers' Pension System, that are participating in the Deferred Retirement Option Program, may apply for line of duty disability retirements.

Senate Bill 422, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 442.

Sincerely,

Governor

House Bill 442

AN ACT concerning

Deferred Retirement Option Program Participants – Application of Line of Duty Disability Benefits

FOR the purpose of limiting the circumstances under which certain retirees of the State Police Retirement System or the Law Enforcement Officers' Pension System who are participating in the Deferred Retirement Option Program may apply for certain disability retirements; providing for the application of this Act; and generally relating to retirees receiving a line of duty disability retirement benefit while participating in the Deferred Retirement Option Program.

BY repealing and reenacting, with amendments,
 Article – State Personnel and Pensions
 Section 24–401.1(k), 26–401.1(k), and 29–111
 Annotated Code of Maryland
 (2004 Replacement Volume and 2007 Supplement)

May 22, 2008

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 472 – *State Retirement and Pension System – Imposition of Administrative Fees on Employers*.

This bill authorizes the Board of Trustees of the State Retirement and Pension System to adopt regulations to impose administrative fees on participating employers that fail to provide information to the State Retirement Agency with regard to the enrollment of eligible employees in the State Retirement and Pension System.

Senate Bill 375, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 472.

Sincerely,

Governor

House Bill 472

AN ACT concerning

State Retirement and Pension System – Imposition of Administrative Fees on Employers

FOR the purpose of authorizing the Board of Trustees of the State Retirement and Pension System to adopt regulations to impose certain fees on certain participating employers that fail to provide certain information to the State Retirement Agency with regard to the enrollment of eligible employees in the State Retirement and Pension System; and generally relating to the imposition of administrative fees on employers participating in the State Retirement and Pension System.

BY repealing and reenacting, with amendments,
 Article – State Personnel and Pensions
 Section 21–110(a)

Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

May 22, 2008

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 483 – *Harford County – Special Taxing Districts – Creation*.

This bill authorizes Harford County to create special taxing districts for developing and financing infrastructure improvements. The county may impose *ad valorem* taxes and issue bonds and other obligations to finance the improvement projects. Special taxing districts must be in a designated growth area as defined in the county master plan and land use element plan.

Senate Bill 793, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 483.

Sincerely,

Governor

House Bill 483

AN ACT concerning

Harford County – Special Taxing Districts – Creation

FOR the purpose of authorizing Harford County to exercise certain powers concerning the creation of special taxing districts, the levying of certain taxes, and the issuing of certain bonds for developing and financing certain infrastructure improvements under certain circumstances; authorizing Harford County to create a special taxing district only in certain areas; requiring that a local law creating a special taxing district be enacted in a

certain manner; authorizing the governing body of Harford County to consider certain elements of a development that would receive the proceeds of a certain bond at a certain public hearing; ~~requiring certain disclosure to buyers of real property within a special taxing district of certain charges for which the buyer would be liable; providing that failure to provide certain disclosure makes a contract for the purchase of real property within a special taxing district voidable under certain circumstances;~~ requiring that adequate debt service reserve funds be maintained by Harford County; providing that Harford County may establish a special taxing district only if all the owners of real property within the proposed special taxing district petition the county for the creation of the special taxing district; prohibiting a vendor of certain property within a special taxing district from enforcing a contract for the sale of the property unless the purchaser of the property is provided with certain information relating to the special taxing district and the contract of sale contains a certain notice; providing that a vendor may provide a purchaser with certain information by providing the purchaser with a certain collection of documents; providing that a vendor may rely on certain documents filed in the land records when providing the purchaser with certain information; providing that a purchaser under a contract for the sale of certain property within a special taxing district may cancel the contract within a certain time after receiving certain information; providing that unless the purchaser consents, settlement of a contract for the sale of certain property within a special taxing district may not take place within a certain time after a purchaser receives certain information; requiring a vendor to refund certain deposits under certain circumstances; providing that a vendor is liable for certain damages caused by certain false statements or omissions; providing that an action against a vendor for certain false statements or omissions must be brought within a certain time; and generally relating to the authority of Harford County to create special taxing districts for developing and financing infrastructure improvements and to the sale of property located within certain special taxing districts.

BY repealing and reenacting, without amendments,
 Article 24 – Political Subdivisions – Miscellaneous Provisions
 Section 9–1301(a)
 Annotated Code of Maryland
 (2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, with amendments,
 Article 24 – Political Subdivisions – Miscellaneous Provisions
 Section 9–1301(b) and (c)
 Annotated Code of Maryland
 (2005 Replacement Volume and 2007 Supplement)

BY adding to
Article – Real Property
Section 10–706

Annotated Code of Maryland
(2003 Replacement Volume and 2007 Supplement)

May 21, 2008

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 501 – *Anne Arundel County – Environmental Health Monitoring – Reimbursement of Costs*.

The bill would require the Maryland Department of the Environment (“Department”) to reimburse Anne Arundel County for any future costs it incurs for environmental health monitoring and testing related to permit violations for which the Department collects a fine. Reimbursement may not exceed the amount of the fine. In addition, this bill would require the Department to retroactively reimburse Anne Arundel County for the testing and monitoring of well water that the County conducted for 83 homes in the vicinity of the Gambrills fly ash disposal site.

In accordance with current law, the Department delegates authority to local health departments to test and certify drinking water wells. The Department currently has a delegation agreement with Anne Arundel County under which the County voluntarily agreed to provide support such as investigation, inspection, monitoring, and sampling for the Department subject to the availability of staff and resources. The agreement does not address funding, nor does it require the County to perform testing or sampling.

Current law does not allow the Department to factor in the costs it or any other governmental entity incurs when assessing an appropriate penalty amount to a party who has violated the State’s environmental laws. All funds, fees, and penalties collected by the Department for groundwater related violations must be paid into the Maryland Clean Water Fund. Reimbursement of expenses for sampling/testing/monitoring is not identified as a permissible use of the Clean Water Fund. Given this legal constraint, the reimbursement required under the bill would have to come from some source other than the Clean Water Fund, most likely from the Department’s already tightly constrained General Fund budget.

Supporters of House Bill 501 argue that the Department should take local testing and monitoring expenses and costs into account when assessing fines related to sites that are permitted by the Department. Unfortunately, as noted above, the law as currently drafted does not allow the Department to shift the burden of those expenses to the parties who violate our State's environmental laws. Since the bill applies prospectively to any future Anne Arundel County costs, it is impossible to definitively calculate the future fiscal impact, which could be significant.

Thus, while the intent of the bill's supporters to ultimately shift the costs that local governments incur for testing and monitoring of well water to parties who violate our State's environmental laws may have merit, the bill is deficient in that it does not directly confront that issue. The Department completes approximately 2,000 enforcement actions a year, including approximately 900 actions for water violations, in jurisdictions across the State. An indeterminate number of those actions will include some activity by State and local agencies leading up to the action. The Department lacks statutory authority to require reimbursement in assessing the penalty, so the effect of the bill is to divert money from the Department to a local jurisdiction for activities the local jurisdiction has agreed to perform.

The bill is also deficient because it applies only to Anne Arundel County. Many counties provide environmental testing and monitoring services but they would not be eligible for reimbursement under this legislation. Requiring the Department to reimburse the expenses of only one of Maryland's 24 counties, many of which routinely undertake the monitoring, testing, and sampling of well water, is not a rational approach.

The appropriate public policy discussion is whether the Department should be authorized to incorporate reimbursement provisions in the assessment of a penalty, for every jurisdiction in the State. My Administration would be willing to engage in that discussion during the 2009 Session of the Maryland General Assembly. But House Bill 501 does not accomplish that public policy goal – instead, it diverts resources of the Department to reimburse a single local government a specific amount for a past event, and an uncapped, indeterminate amount for future events, for functions the County has agreed to perform.

For the above stated reasons, I have vetoed House Bill 501.

Sincerely,

Governor

House Bill 501

AN ACT concerning

**Anne Arundel County – Environmental Health Monitoring –
Reimbursement of Costs**

FOR the purpose of requiring the Department of the Environment ~~and the Department of Natural Resources~~ to reimburse Anne Arundel County for the cost of certain environmental health monitoring and testing under certain circumstances; requiring a reimbursement only if a certain fine is collected; limiting the amount of a reimbursement to a certain amount; providing that this Act shall apply retroactively only to certain costs incurred by Anne Arundel County; and generally relating to requiring reimbursement of Anne Arundel County for the cost of certain environmental health monitoring and testing.

BY adding to

Article – Environment

Section 1–303

Annotated Code of Maryland

(2007 Replacement Volume and 2007 Supplement)

~~BY adding to~~

~~Article – Natural Resources~~

~~Section 1–802~~

~~Annotated Code of Maryland~~

~~(2005 Replacement Volume and 2007 Supplement)~~

May 22, 2008

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 545 – *Dorchester County – Alcoholic Beverages Act of 2008*.

Among other things, this bill repeals the off-sale privilege of a Class B beer and light wine license in Dorchester County on or after July 1, 2008; and authorizes a holder of a Class B (on-sale and off-sale) beer and light wine license that is issued

on or before June 30, 2008, to continue to exercise the privileges of the license and to renew the license.

Senate Bill 154, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 545.

Sincerely,

Governor

House Bill 545

AN ACT concerning

Dorchester County – Alcoholic Beverages Act of 2008

FOR the purpose of repealing the off-sale privilege of a Class B beer and light wine license in Dorchester County on and after a certain date; authorizing a holder of a Class B (on-sale and off-sale) beer and light wine license in Dorchester County that is issued on or before a certain date to continue to exercise the privileges of the license and to renew the license; prohibiting the Board of License Commissioners from approving the transfer of a certain license on or before a certain date; repealing a requirement that a holder of a certain license must purchase wine from the Dorchester County Liquor Control Board Dispensaries; clarifying that certain restaurants may obtain a certain license from the Board of License Commissioners; clarifying that a certain license provides for the consumption of beer, wine, and liquor; providing certain penalties for the violation of certain requirements regarding catering events; authorizing the Board of License Commissioners to grant a special license entitling the holder to exercise certain privileges at an event conducted by a not for profit club, society, association, or organization; requiring an applicant for a special license to submit to the Board of License Commissioners a certain application on a certain form; authorizing the issuance of Class A beer and wine licenses for certain premises under certain circumstances; *clarifying and* altering the hours of sale for certain licenses; and generally relating to alcoholic beverages in Dorchester County.

BY repealing and reenacting, with amendments,

Article 2B – Alcoholic Beverages

Section 5-201(k), 6-201(k), 7-101(b)(6) ~~and~~, (d)(7), and (n)(2) and (3),
9-102(b-6), and 11-510(b)(10), (11), (12), and (13)

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section ~~7-101(n)(1)~~ and 11-510(a)
 Annotated Code of Maryland
 (2005 Replacement Volume and 2007 Supplement)

BY adding to
 Article 2B – Alcoholic Beverages
 Section 11-510(b)(14)
 Annotated Code of Maryland
 (2005 Replacement Volume and 2007 Supplement)

May 22, 2008

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 588 – *Calvert County – Sheriff – Pensions*.

This bill permits an individual who has served as Sheriff of Calvert County to participate in the Calvert County Employees' Savings Plan.

Senate Bill 326, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 588.

Sincerely,

Governor

House Bill 588

AN ACT concerning

Calvert County – Sheriff – Pensions

FOR the purpose of ~~requiring that any individual who has served as Sheriff of Calvert County since a certain date and for a certain period of time receive a~~

~~certain pension; requiring that the pension be paid at least at certain intervals of time; making stylistic changes; permitting certain individuals serving as the Sheriff of Calvert County to participate in the Calvert County Employees' Savings Plan; and generally relating to pensions for sheriffs of Calvert County.~~

BY repealing and reenacting, ~~with~~ without amendments,
 Article – Courts and Judicial Proceedings
 Section 2–309(f)(4)
 Annotated Code of Maryland
 (2006 Replacement Volume and 2007 Supplement)

BY adding to
Article – Courts and Judicial Proceedings
Section 2–309(f)(6)
Annotated Code of Maryland
(2006 Replacement Volume and 2007 Supplement)

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

Article – Courts and Judicial Proceedings

2–309.

(f) (4) (i) ~~{~~Except as provided in subparagraph (ii) of this paragraph, any~~}~~ **A** Sheriff of Calvert County who, since 1948, has served for three or more terms shall receive a pension when ~~{he}~~ **THE SHERIFF** leaves office in the annual amount of \$150 for each year served.

~~(ii) {This} A pension AUTHORIZED UNDER SUBPARAGRAPH (i) OF THIS PARAGRAPH shall be paid {not less frequently than} AT LEAST once a month.~~

~~{(ii) This paragraph does not apply to a term of office that begins on or after July 1, 1988.}~~

(6) (I) THIS PARAGRAPH APPLIES TO AN INDIVIDUAL WHO:

1. ON OR AFTER JULY 1, 2008, SERVES AS THE SHERIFF OF CALVERT COUNTY; AND

2. AS THE SHERIFF OF CALVERT COUNTY DOES NOT PARTICIPATE IN THE EMPLOYEES' PENSION SYSTEM UNDER TITLE 23 OF THE STATE PERSONNEL AND PENSIONS ARTICLE.

(II) AN INDIVIDUAL DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY PARTICIPATE IN THE CALVERT COUNTY EMPLOYEES' SAVINGS PLAN.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2008.

May 22, 2008

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 728 – *Corporations – Objecting Stockholders – Right to Fair Value of Stock*.

This bill alters the circumstances under which a stockholder of a Maryland corporation who objects to specified transactions may demand and receive the fair value of the stockholder's stock. This bill also authorizes a stockholder to demand the fair value of stock listed on a national securities exchange under specified circumstances. Further, the bill alters the definition of "beneficial owner" under the Maryland Business Combination Act to exclude, under specified circumstances, a person that holds a revocable proxy from a stockholder.

Senate Bill 556, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 728.

Sincerely,

Governor

House Bill 728

AN ACT concerning

Corporations – Objecting Stockholders – Right to Fair Value of Stock

FOR the purpose of altering the circumstances under which a stockholder of a Maryland corporation who objects to certain transactions may demand and receive the fair value of the stockholder's stock; authorizing a stockholder to demand the fair value of stock listed on a national securities exchange under certain circumstances; repealing obsolete references to certain securities quotations systems; altering the definition of "beneficial owner" under the Maryland Business Combination Act to exclude, under certain circumstances, a person that holds a revocable proxy from a stockholder; defining certain terms; making certain stylistic and conforming changes; and generally relating to rights of objecting stockholders.

BY repealing and reenacting, with amendments,
Article – Corporations and Associations
Section 3–201, 3–202(c), and 3–601(d)
Annotated Code of Maryland
(2007 Replacement Volume)

BY adding to
Article – Corporations and Associations
Section 3–202(d) and (e)
Annotated Code of Maryland
(2007 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Corporations and Associations
Section 3–601(a)
Annotated Code of Maryland
(2007 Replacement Volume)

May 22, 2008

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 915 – *Surety Insurers – Failure to Pay Bail Bond Judgment – Penalties*.

This bill provides that a surety insurer that is precluded or removed from a specified list by a circuit court due to failure to timely resolve or satisfy specified bail bond forfeitures shall be subject to specified penalties. This bill also requires a clerk of a circuit court to notify the Maryland Insurance Commissioner of the names of specified surety insurers and specified bond forfeitures at a specified time.

Senate Bill 571, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 915.

Sincerely,

Governor

House Bill 915

AN ACT concerning

Surety Insurers – Failure to Pay Bail Bond Judgment – Penalties

FOR the purpose of providing that a surety insurer that is precluded or removed from a certain list by a circuit court due to failure to timely resolve or satisfy certain bail bond forfeitures shall be subject to certain penalties; requiring a clerk of a circuit court to notify the Maryland Insurance Commissioner of the names of certain surety insurers and certain bond forfeitures at a certain time; and generally relating to failure of a surety insurer to pay bail bond judgments.

BY repealing and reenacting, with amendments,
 Article – Insurance
 Section 21–103
 Annotated Code of Maryland
 (2006 Replacement Volume and 2007 Supplement)

May 22, 2008

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 1555 – *Baltimore City Land Bank Authority*.

This bill authorizes Baltimore City to establish a land bank authority for the purpose of acquiring, rehabilitating, or transferring real property or an interest in real property. The bill prohibits the land bank authority from exercising eminent domain actions or levying any tax. The bill further authorizes Baltimore City to take specified actions by ordinance to provide for the disposition of property and obligations of the authority on its termination.

Senate Bill 911, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1555.

Sincerely,

Governor

House Bill 1555

AN ACT concerning

Baltimore City Land Bank Authorities—Establishment by Counties Authority

FOR the purpose of authorizing ~~a county~~ Baltimore City to establish a land bank authority by ordinance; requiring an ordinance establishing an authority to include certain articles of incorporation; requiring certain articles of incorporation to be filed, accepted, and amended in a certain manner; authorizing ~~a county creating an authority~~ Baltimore City to take certain actions by ordinance; providing for the disposition of property and obligations of an authority on termination; requiring an ordinance creating an authority to establish and provide for a board of directors; ~~providing that the procedures of a county incorporating an authority control in certain circumstances;~~ establishing the powers of an authority; authorizing an authority to delegate certain powers; ~~authorizing an authority to purchase, own, or sell property located outside of a certain county;~~ authorizing an authority to employ certain staff and retain certain consultants; authorizing a court to appoint an authority to serve as a certain receiver; requiring an authority to adopt a certain code of ethics; ~~establishing~~ establish certain policies and procedures, and ~~complying~~ comply with certain provisions of law;

providing that the procedures of Baltimore City control certain matters under certain circumstances; authorizing an authority to exercise certain powers of a county Baltimore City; providing an authority with certain immunities; authorizing an authority to take certain actions relating to property held or owned by an authority; requiring property held by an authority to be inventoried and classified in a certain manner; prohibiting a certain register of deeds from charging a certain fee; providing certain tax exemptions for certain properties, activities, and principal, interest, and income from bonds; authorizing an authority to bring a certain civil action; requiring an authority to be made a party to certain actions; prohibiting a certain proceeding from being held until certain service of process is made; establishing that property and income of an authority is for a certain purpose; providing that an authority is subject to certain local zoning laws, permitting processes, and land use controls; requiring an authority to make a certain annual report to the Mayor and City Council of Baltimore City and the General Assembly in a certain time period; authorizing an authority to issue certain bonds for certain purposes under certain circumstances; authorizing an authority to issue certain bond anticipation notes; authorizing an authority to take certain actions in connection with bonds issued by an authority; requiring an authority to pass a certain resolution in connection with each issue of its bonds; authorizing an authority to enter into certain trust agreements in connection with bonds issued by an authority; requiring an authority to convey title and release certain collateral under certain circumstances; authorizing certain persons to bring certain actions; defining certain terms; providing for the construction of this Act; establishing that the powers granted in this Act are supplemental to certain other powers; establishing that this Act does not authorize an authority to exercise certain powers or levy certain taxes or assessments; and generally relating to ~~land bank authorities~~ the Baltimore City Land Bank Authority.

BY adding to

Article 24 – Political Subdivisions – Miscellaneous Provisions

Section 22–101 through 22–212 to be under the new title “Title 22. Baltimore City Land Bank Authorities Authority”

Annotated Code of Maryland

(2005 Replacement Volume and 2007 Supplement)