

VETOES

CONSIDERATION WEIGHTED FACTORS THAT MAY INCLUDE RENTS, LOCATION, SOIL TYPES, DEVELOPMENT PRESSURE, INTEREST RATES, AND POTENTIAL AGRICULTURAL USE.

(II) THE AGRICULTURAL VALUE DETERMINED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS SUBJECT TO THE APPROVAL OF THE DEPARTMENT.

[(4)] (E) (1) If the landowner and foundation do not agree on the value of the easement as determined by [a] THE State [appraisal], either the landowner or the foundation may request that the matter be referred to the property tax assessment appeal board as provided under § 3-107 of the Tax - Property Article, for arbitration as to the value of the easement.

(2) The value determined by that arbitration shall be binding upon the owner and the foundation in a purchase of the easement made subsequent to the arbitration for a period of two years, unless the landowner and the foundation agree upon a lesser value or the landowner or the foundation appeals the results of the arbitration to the Maryland Tax Court, and either party may further appeal from the Tax Court as provided in § 13-532 of the Tax - General Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1990.

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May 29, 1990

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 1302.

This bill makes changes to the State's land acquisition efforts under Program Open Space including phasing out the current \$32 million cap on the Program over a 5-year period; increasing the allocation to the Program establishing a land trust grant fund; allowing up to 25% of the State's share of funds to be appropriated for development projects; authorizing the use of property transfer tax revenues to support administrative expenses; and requiring targeted State acquisition plans.

Senate Bill 811, which was passed by the General Assembly and signed by me on April 24, 1990, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 1302.