

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

Article – Agriculture

8-704.

(a) (3) (I) 1. [Before] EXCEPT AS AUTHORIZED UNDER SUB-SUBPARAGRAPH 2 OF THIS SUBPARAGRAPH AND BEFORE the Department of Agriculture executes a cost sharing agreement with a farm tenant, it shall obtain the consent of the landlord to the terms and conditions of the agreement.

2. ~~IF A COST SHARING AGREEMENT WITH A FARM TENANT CONCERNS A SHORT TERM PROJECT, AS DEFINED BY REGULATION, THE DEPARTMENT MAY EXECUTE THE AGREEMENT WITHOUT THE CONSENT OF THE LANDLORD IF:~~

A. THE AGREEMENT CONCERNS A SHORT-TERM PROJECT THAT INVOLVES ONLY THE PLANTING OF A COVER CROP; AND

B. THE DEPARTMENT HAS SENT BY FIRST-CLASS MAIL WRITTEN NOTICE OF A COVER CROP PROJECT TO THE LANDLORD AT LEAST 10 CALENDAR DAYS BEFORE EXECUTING THE AGREEMENT FOR THE FIRST COVER CROP PROJECT DURING THE TERM OF THE LEASE.

(II) The Department may also require the granting to the State of an appropriate security interest in any equipment, structures or similar items purchased with State moneys.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1993.

May 27, 1993

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 406.

Senate Bill 406 would authorize a court to entertain an action under the Maryland Tort Claims Act even though the notice required under the statute was not submitted to the Treasurer within 180 days after the injury that is the basis of the claim. Further, the bill raises and sets into statute the cap on the State's liability.

Current law provides that a claimant may not institute an action under the Maryland Tort Claims Act unless: