(c)   (1)   In Prince George's County, prior to any hearing by a zoning hearing examiner and the district council concerning a request for a special exception for the mining of sand or gravel, a report shall be prepared in accordance with this subsection.

(2)   Any report required under paragraph (1) of this subsection shall:

(i)   Be prepared by the Commission;

(ii)   Comprehensively evaluate the request by analyzing the impact of the proposed mining activities on the surrounding area, considering only the following factors:

1.   Noise;

2.   Watershed and water quality;

3.   Airshed and air quality;

4.   Traffic and traffic safety; and

5.   Any other environmental factors relating to the health, safety, and welfare of the residents in the affected area; and

(iii)   Be paid for by the applicant through a fee for the services performed by the Commission, not to exceed $8,000, in addition to the initial filing fee.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 1994.

May 26, 1994

The Honorable Casper R. Taylor, 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 1092.

House Bill 1092 would codify the Office of the People's Zoning Counsel for Prince George's County under the Regional District Act of Article 28 of the Annotated Code. The bill would expand this office's power by authorizing the Counsel to appeal any final zoning decisions of the District Council if the Counsel believes the decisions to be erroneous as a matter of law.

The Prince George's Chamber of Commerce, various business groups, and private individuals have requested a veto of House Bill 1092 because the bill would expand the power of the Zoning Counsel beyond the currently mandated duties of the office. In addition, the Prince George's County government opposed this bill on fiscal grounds.

The Office of the People's Zoning Counsel exists to represent the public interest in