(i) the weekly earnings of [each partly dependent individual bear to the average weekly wage of the deceased covered employee] THE DECEASED COVERED EMPLOYEE BEARS TO THE COMBINED WEEKLY EARNINGS OF THE DECEASED COVERED EMPLOYEE AND THE PARTLY DEPENDENT INDIVIDUALS; and

(ii) does not exceed the maximum weekly death benefit.

(c) {Except as otherwise provided in this section, the} ~~THE~~ employer or its insurer shall pay the weekly death benefit ~~FOR THE PERIOD OF DEPENDENCY~~{:

(1) for the period of partial dependency; or

(2) until ~~$45,000~~ ~~$75,000~~ *$60,000* has been paid}.

(d) {(1) Subject to paragraph (2) of this subsection, if} ~~IF~~ a surviving spouse who is partly dependent remarries and does not have dependent children at the time of the remarriage, the employer or its insurer shall make payments to the surviving spouse for 2 years after the date of the remarriage.

{(2) The total of the payments made before the remarriage may not exceed ~~$45,000~~ ~~$75,000~~ *$60,000*.}

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, ~~2003~~ *2002*.

May 14, 2002

The Honorable Thomas V. Mike Miller, Jr.
President of the Senate
State House
Annapolis MD 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed Senate Bill 750 – Property Tax – Tax Credits for Conservation Property.

Senate Bill 750 expands the applicability of a local government tax credit for property that is subject to a donated perpetual conservation easement by changing the date of the donation from on or after July 1, 1991 to on or after June 30, 1986.

In the analysis of Senate Bill 750 by the General Assembly's Department of Legislative Services, it was stated that the Department did not have information regarding local property tax credit programs, or the number of additional properties that would be eligible for the expanded credits. There is no public policy benefit to granting, at this time, a local property tax credit for a perpetual easement donated somewhere between 11 and 16 years ago. At the time of the donation, there was no expectation on the part of the owner that a local property tax credit would be granted. Given the indeterminate nature of this tax credit, local funds would be better spent to purchase new easements or otherwise preserve additional open space. This approach would allow local governments to preserve new acreage with a clear understanding of the fiscal impact of their decision.