

(III) THE PROPERTY COVERED BY THE EASEMENT CONTAINS 50 ACRES OR MORE;

(IV) THE PROPERTY COVERED BY THE EASEMENT CONTAINS ALL OF THE LAND DESCRIBED IN THE DEED OR DEEDS OF RECORD AT THE TIME OF THE SALE OF THE EASEMENT;

(V) THE LANDOWNER WHO ORIGINALLY SOLD THE EASEMENT HAS NOT EXERCISED THE RIGHT TO 1 ACRE FOR THE CONSTRUCTION OF A DWELLING HOUSE PURSUANT TO PARAGRAPH (2) OF THIS SUBSECTION;

(VI) PRIOR TO THE RELEASE, THE LANDOWNER SHALL PAY THE STATE FOR 1 ACRE AT THE PRICE PER ACRE THAT THE STATE PAID FOR THE EASEMENT; AND

~~(VII) THE COUNTY IN WHICH THE PROPERTY IS LOCATED HAS APPLIED TO, AND THE APPLICATION HAS BEEN APPROVED BY, THE FOUNDATION TO HAVE THE PROVISIONS OF THIS PARAGRAPH APPLY TO LAND WITHIN THE COUNTY IN CARROLL COUNTY.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2002. It shall remain effective for a period of 1 year and, at the end of September 30, 2003, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

May 15, 2002

The Honorable Casper R. Taylor, Jr.
Speaker of the House
State House
Annapolis MD 21401

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 1001 – Cigarette Business Licensing Law – Cigarette Nonresident Dealers.

House Bill 1001 repeals the existing State cigarette manufacturer's license and creates a new cigarette nonresident dealer's license. The bill also provides that a person does not need to get a cigarette nonresident dealer license to make direct sales and shipments of cigarettes to a licensed wholesaler within the State from a location outside the continental limits and possessions of the United States.

Under current law, in order to sell unstamped tobacco products to a wholesaler, a person must have a cigarette manufacturer's license. A person who acts as a manufacturer must own or operate a manufacturing plant in the United States. I have several objections to House Bill 1001 as enacted. First, I am concerned with the provision of the bill that permits a wholesaler to buy unstamped tobacco products directly from a person "located outside the continental limits of the United States" without that entity having to acquire a Maryland non-resident dealer license. This is a departure from the State's current licensure policy. If foreign manufacturers and