

(e) "Unstamped cigarettes" means a package of cigarettes to which tax stamps are not affixed in the amount and manner required in § 12-304 of this title.

(e-1) "Wholesale price" means the price for which a wholesaler buys other tobacco products, exclusive of any discount, trade allowance, rebate, or other reduction.

(f) "Wholesaler" means, unless the context requires otherwise:

(1) a person who acts as a wholesaler as defined in § 16-201 of the Business Regulation Article; or

(2) a person who:

(i) holds other tobacco products for sale to another person for resale; or

(ii) sells other tobacco products to another person for resale.

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

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 1012 – Agriculture – Crimes – Agricultural Research Protection Act.

House Bill 1012 establishes specific criminal penalties for persons maliciously damaging or destroying an agricultural research operation or related farm product. A violator is guilty of a misdemeanor and subject to maximum penalties of a fine of \$5,000 and/or imprisonment for three years. In addition, a person convicted of violating this prohibition must compensate the owner for the fair market value of the damaged or destroyed agricultural research operation or farm product. The bill defines "agricultural research operation" as land, buildings and equipment owned or leased by a farmer, private research facility, university or any federal, State or local government agency, used in the production of a farm product that is being used for testing or research proposes.

Under Article 27 Section 111, the State's general prohibition against malicious destruction establishes that any a person who willfully and maliciously destroys, injures or defaces the real or personal property of another is guilty of a misdemeanor. A violator would be subject to both monetary penalties, which were increased in 2000, and/or imprisonment. These penalties would apply to persons maliciously damaging or destroying agricultural research operations or related farm products. In addition, a