

vetoed Senate Bill 694 – *Chesapeake and Atlantic Coastal Bays Critical Area Protection Program – Miscellaneous Enforcement Provisions.*

This bill requires a local jurisdiction to make a specified presumption when considering a variance application under the Chesapeake and Atlantic Coastal Bays Critical Area Protection Program; establishes the burdens of proof and persuasion in a variance application; requires a local jurisdiction to make findings and authorizes the findings to be based on specified evidence and testimony; and requires a local jurisdiction's program to include buffer requirements and specified penalty provisions.

House Bill 1009, which was passed by the General Assembly and signed by me on May 26, 2004, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 694.

Very truly yours,
Robert L. Ehrlich, Jr.
Governor

Senate Bill No. 694

AN ACT concerning

Chesapeake and Atlantic Coastal Bays Critical Area Protection Program – Miscellaneous Enforcement Provisions

FOR the purpose of requiring a local jurisdiction to make a certain presumption when considering a variance application under the Chesapeake and Atlantic Coastal Bays Critical Area Protection Program; establishing certain burdens of proof and persuasion in an application for a certain variance; requiring a local jurisdiction to make certain findings and authorizing the findings to be based on certain evidence and testimony; authorizing a local jurisdiction to consider certain facts when making certain findings; requiring a local jurisdiction's critical area program to include certain buffer requirements and penalty provisions; authorizing a local jurisdiction to consider certain factors in determining the amount of a certain penalty; authorizing a local jurisdiction under certain circumstances to request certain enforcement assistance from the Chairman of the Chesapeake and Atlantic Coastal Bays Critical Area Commission or the Attorney General; declaring and clarifying certain findings of the General Assembly; altering the application of a certain defined term; ~~providing for the application of this Act~~; and generally relating to the enforcement of the Chesapeake and Atlantic Coastal Bays Critical Area Protection Program.

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 8–1801, 8–1802(a), 8–1808, 8–1808.5(a), 8–1815, and 8–1815.1

Annotated Code of Maryland

(2000 Replacement Volume and 2003 Supplement)