

23-106.

THIS SUBTITLE MAY NOT BE CONSTRUED TO:

- (1) LIMIT THE DEFENSES OF FRAUD, DURESS, OR ILLEGALITY; OR
- (2) AFFECT ANY CLAIM BETWEEN A THIRD PARTY AND A PARTY TO AN OPERATING AGREEMENT.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply to all operating agreements that are executory agreements as of October 1, 2004 or are executed and delivered after October 1, 2004.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2004.

May 26, 2004

The Honorable Michael E. Busch
 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 714 – *Solar Energy Grant Program*.

This bill establishes the Solar Energy Grant Program in the Maryland Energy Administration. It provides grants to individuals, local governments, and businesses for specified portions of the costs of acquiring and installing photovoltaic property and solar water heating property.

Senate Bill 485, which was passed by the General Assembly and signed by me on April 27, 2004, accomplishes the same purpose. Therefore, it is not necessary for me to sign House Bill 714.

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

House Bill No. 714

AN ACT concerning

Solar Energy Tax Credit – Extension Grant Program

FOR the purpose of ~~extending the period of eligibility for a credit against the State income tax for certain costs of certain equipment that uses solar energy to generate electricity or to heat or cool a structure or provide hot water for use in a structure; and generally relating to the State income tax credit for~~ establishing the Solar Energy Grant Program in the Maryland Energy Administration to provide certain grants to individuals, local governments, and