

SECTION 4. AND IT BE FURTHER ENACTED, That this Act may not be construed to delay or preempt the suspension or expulsion of a student under § 7-305 of the Education Article.

SECTION 4. 5. AND BE IT FURTHER ENACTED, That, subject to the provisions of Section 3 of this Act, this Act shall take effect July 1, 2005.

May 26, 2005

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, today I have vetoed Senate Bill 823 – *Public Safety – Deceased Military Member – State Flag Presented to Family*.

This bill requires the Secretary of State to issue a State flag to the family of a member of the military when the member is killed in the performance of duty; and requires the flag to be presented by the Department of Veterans Affairs when the deceased is a member of the military.

House Bill 1226, which was passed by the General Assembly and signed by me, accomplishes the same purpose. Therefore, it is not necessary for me to sign Senate Bill 823.

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

**Senate Bill No. 823**

AN ACT concerning

**Public Safety – Deceased Military Member – State Flag Presented to Family**

FOR the purpose of requiring the Secretary of State to issue a State flag to the family of a member of the military when the member is killed in the performance of duty; requiring the flag to be presented to the family of the deceased by a certain State Senator when the deceased is not a member of the military; requiring the flag to be presented by the Department of Veterans Affairs when the deceased is a member of the military; and generally relating to the presentation of a State flag to family members of certain individuals killed in the performance of duty.

BY repealing and reenacting, with amendments,

Article – Public Safety  
Section 1-202(d)  
Annotated Code of Maryland