

~~(ii) This paragraph does not apply in Allegany, Anne Arundel, Baltimore City, Calvert, Charles, Garrett, Howard, Montgomery, St. Mary's, and Washington counties.~~

SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the voting members of the Environmental Noise Advisory Council shall expire as follows:

- (1) 2 members in 2004;
- (2) 2 members in 2005;
- (3) 2 members in 2006; and
- (4) 3 members in 2007.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2003.

May 22, 2003

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 352 – Criminal Law – Stalking – Included Acts.

This bill alters the current law intent element applicable to the crime of stalking to add, in addition to intending to place another in fear, conduct that the person knows or should have known would place another in fear. The bill further adds to the prohibited types of acts that place a person in fear of to include, in addition to death or serious bodily injury provided in current law, the crimes of assault, rape or sexual offense (including attempted acts), and false imprisonment. The bill specifies that the crime of stalking does not include any conduct performed to ensure compliance with a court order, performed to carry out a specific lawful commercial purpose, or authorized, required, or protected by law.

House Bill 593, 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 352.

Sincerely,
 Robert L. Ehrlich, Jr.
 Governor

Senate Bill No. 352

AN ACT concerning

Criminal Law – Stalking – Included Acts