

VETOES

(2) THE ATTORNEY GENERAL MAY INSTITUTE A CIVIL ACTION AGAINST A PERSON WHO VIOLATES THIS SECTION TO RECOVER ~~FOR THE STATE~~ A CIVIL PENALTY NOT EXCEEDING:

(I) \$25,000 PER DAY OF VIOLATION; OR

(II) NOT LESS THAN \$2 NOR MORE THAN \$8 PER COMMERCIAL ELECTRONIC MAIL MESSAGE INITIATED IN VIOLATION OF THIS SECTION.

(3) THE ATTORNEY GENERAL MAY SEEK AN INJUNCTION IN A CIVIL ACTION TO PROHIBIT A PERSON WHO HAS ENGAGED IN OR IS ENGAGED IN A VIOLATION OF THIS SECTION FROM ENGAGING IN THE VIOLATION.

(4) THE ATTORNEY GENERAL MAY ENFORCE CRIMINAL VIOLATIONS OF THIS SECTION.

(F) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO HAVE ANY EFFECT ON THE LAWFULNESS OF THE ADOPTION, IMPLEMENTATION, OR ENFORCEMENT BY AN ELECTRONIC MAIL SERVICE PROVIDER OF A POLICY OF DECLINING TO TRANSMIT, ROUTE, RELAY, HANDLE, OR STORE CERTAIN TYPES OF ELECTRONIC MAIL MESSAGES UNDER ANY OTHER PROVISION OF LAW.

SECTION 2. 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 1348 – *Maryland Uniform Disclaimer of Property Interests Act*.

This bill revises the procedures for disclaimers of succession to property interests created by will, intestacy, or the exercise of testamentary powers of appointment; allows fiduciaries the ability to disclaim specified interests and powers; provides for specified rules applying to a disclaimer of specified interests in property; provides for disclaimer of rights of survivorship in jointly held property; and provides for disclaimer of interest by a trustee.

Senate Bill 541, 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 House Bill 1348.

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