

SEC. 8. *And be it further enacted,* That, if any funds provided by this Act shall not have been contracted for within ten (10) years from the effective date of this Act, then such funds shall be deemed to have been abandoned. If the total loan authorized herein shall have been issued within ten (10) years from the effective date of this Act, then the amount specified herein for said abandoned funds shall be transferred to the Annuity Bond Fund and shall be applied to the debt service requirements of the State. If, however, the total loan authorized herein shall not have been issued within five (5) years from the effective date of this Act, then the total issuable Certificates of Indebtedness authorized herein shall be reduced by the amount specified herein for said abandoned funds.

SEC. 9. *And be it further enacted,* That, if any word, phrase, provision or portion of this Act shall be held in a court of competent jurisdiction to be unconstitutional or invalid, the unconstitutionality or invalidity shall apply only to such word, phrase, provision or portion, and for this purpose the provisions of this Act are declared to be severable.

SEC. 10. *And be it further enacted,* That this Act is hereby declared to be an emergency measure and necessary for the immediate preservation of the public health and safety and, having been passed by a ye and nay vote supported by three-fifths of the members elected to each of the two Houses of the General Assembly, the same shall take effect from the date of its passage; provided, however, that, if Chapter 652 of the Acts of the General Assembly of 1966 is held by the Court of Appeals of Maryland to be constitutional and valid in the case of *Birmingham v. Board of Public Works* (September Term, 1967, No. 388) now pending in the Court of Appeals of Maryland, this Act, with no further action required of the General Assembly of Maryland, shall be repealed and of no further effect on the day following the issuance of the Mandate of the Court of Appeals of Maryland.

Approved April 19, 1968.

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#### CHAPTER 444

(House Bill 1241)

AN ACT to add new Section 263(h) to Article 66C of the Annotated Code of Maryland (1967 Replacement Volume), title "Natural Resources," subtitle "Fish and Fisheries," subheading "Tidal Waters," to follow immediately after Section 263(g) thereof to make it illegal to have in possession aboard any boat on the tidal waters of this State more than fifteen (15) pounds of any fish UPON which a size or weight limit is prescribed by law or regulation in such condition that the size or weight cannot be determined.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That new Section 263(h) be and it is hereby added to Article 66C of the Annotated Code of Maryland (1967 Replacement Volume),