

"An Act to repeal and re-enact, with amendments, Sub-section (g) of Section 29 of Article 39 of the Annotated Code of Maryland (1939 Edition), title 'Fish and Fisheries', sub-title 'Tidal Waters', relating to the removal of fish net stakes."

In reviewing this measure as to its legal sufficiency, the Attorney-General advises that neither the title nor the Act makes any reference to the fact that Section 39 of the 1939 Code, which this Bill would repeal, was repealed and enacted by Chapter 709 of the Acts of 1941. It is Sub-section (g) of this latter Act which is changed by this Bill.

The Attorney-General points out that it would be preferable to refer to the 1941 amendment in the title of the Act as a legal question might be presented, and if a case under this section were taken to Court, the present enactment might be invalidated.

Inasmuch as sufficient time remains for this to be clarified, I feel that I should not sign the Bill leaving this measure open to attack.

GRANTSVILLE.

March 26, 1943.

The Speaker of the House,
Maryland House of Delegates,
State House,
Annapolis, Maryland.

Dear Sir:

I am returning, without approval, House Bill 359 (Chapter 208), entitled:

"An Act to repeal and re-enact, with amendments, Section 209 of Article 12 of the Code of Public Local Laws of Maryland (1930 Edition), title 'Garrett County', sub-title 'Grantsville', providing for maximum annual compensation for the Mayor and Councilmen of said municipality."

The Attorney-General, to whom all Bills are submitted for official ruling as to their constitutionality and validity, has given me the following opinion on this Bill:

"This Bill increases the salary of the Mayor and Councilmen of Grantsville, Garrett County. Apparently the Mayor and Councilmen take office in April, so that the Bill would create an unconstitutional increase in salary as to those to be elected in April, since the Bill takes effect June 1st."