

## Letter from State Law Department on H. B. 679

April 11, 1967

The Honorable Spiro T. Agnew  
 Governor of Maryland  
 State House  
 Annapolis, Maryland 21404

Dear Governor Agnew:

At your request, I have examined House Bill 679 and am of the opinion that it fails to meet minimum constitutional requirements for the following reasons:

The Bill is an Act which purports to repeal and re-enact, with amendments, Subsection 36 (a) of Article 27 of the Annotated Code of Maryland, to change the penalties for the carrying or wearing of concealed weapons in this State. Certain amendments made in the body of Subsection 36 (a) support this descriptive language in the title.

However, the Bill also provides that in Washington County it shall be unlawful and a misdemeanor, punishable as set forth in the Bill, for any minor to carry any dangerous or deadly weapon between one hour after sunset and one hour before sunrise, whether concealed or not, except while on a bona fide hunting trip, or except while engaged in or on the way to or returning from a bona fide trap shoot, sport shooting event, or any organized civic or military activity. The effect of the amendment, with reference to Washington County is to create an additional crime in that County which is in no way carried in the title. Since the title is misleading and the Bill creates an additional crime in Washington County, we are of the view that this defect invalidates the entire Bill.

Sincerely yours,

(s) FRANCIS B. BURCH,

Attorney General.

*Read and journalized.*

House Bill No. 679—By Delegates Donovan, Bagley, Banning, Montford, and Santangelo.

AN ACT to repeal and re-enact, with amendments, Subsection 36(a) of Article 27 of the Annotated Code of Maryland (1957 Edition and 1966 Cumulative Supplement), title "Crimes and Punishments," subtitle "Concealed Weapons," to change the penalties for the carrying or wearing of concealed weapons in this State.

Shall the bill pass notwithstanding the objections of the Executive?

The roll was called resulting as follows:

Affirmative—None

Negative

Delegates—

Mr. Speaker, Briscoe, Boyer, Athey, Lipin, Thomason, Burkhead, Connell, Helms, Allen, Fornos, Benner, Compton, Nimmerrichter, Arata, Coolahan, Malone, Alpert, Jacobson, Rynd, Hopkins, Nice, Price, Deitrich, Hinkel, Jensen, Hutchinson, Jones, Kardash, Schirano, Einschütz, Evans, Rush, Arnick, D'Anna, Minnick, Lowe, Dize, Mat-