

Letter from State Law Department on H. B. 921

April 19, 1967.

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

Dear Governor Agnew:

At your request, I have examined House Bill 921, in order to determine whether the Bill meets minimum constitutional requirements as to form and legal sufficiency.

The title of this Bill indicates that it repeals and re-enacts, with amendments, Section 20(a) of Article 2B of the Annotated Code of Maryland, to limit sales of beer, wine and liquor under club licenses to the members of such clubs and their guests. Section 20(a) of the Bill provides that the subsection as amended shall not apply to Anne Arundel, Calvert, Charles, Howard, Montgomery and St. Mary's counties.

It is clear that when this latest amendment was made to this Bill, limiting its applicability to certain counties of the State, amendment to the title was omitted. In my opinion, the failure of the title to indicate that the Bill is not applicable in the enumerated counties, makes said title misleading, and by virtue thereof, the said Bill and title thereof fail to meet minimum constitutional standards. For such reasons, I am unable to approve this Bill as to form and legal sufficiency.

Sincerely yours,

(s) FRANCIS B. BURCH,

Attorney General.

House Bill No. 921—By Delegate Rush.

AN ACT to repeal and re-enact, with amendments, Section 20 (a) of Article 2B of the Annotated Code of Maryland (1966 Supplement), title "Alcoholic Beverages," subtitle "Beer, Wine and Liquor Licenses," to limit sales of beer, wine and liquor under club licenses to the members of such clubs and their guests.

Shall the bill pass notwithstanding the objections of the Executive?

The roll was called resulting as follows:

Affirmative

Delegate—Goodman

Total—1

Negative

Delegates—

Mr. Speaker, Briscoe, Fowler, Boyer, Athey, Lipin, Thomason, Burkhead, Connell, Allen, Anderson, Fornos, Benner, Compton, Nimmerrichter, Arata, Coolahan, Malone, Alpert, Jacobson, Rynd, Hopkins, Nice, Deitrich, Hinkel, Jensen, Hutchinson, Jones, Kardash, Schirano, Einschutz, Evans, Rush, Arnick, D'Anna, Minnick, Lowe, Dize, Matthews (R. M.), Burkheimer, Mackie, Dorman, Menes, Mothershead, Banning, Hull, King, Santangelo, Weile, Aragona, Bagley, Donovan, Giordano, McDonough, Rummage, Hickman (C. M.), Hickman (R.), Houck, Remsberg, Virts, Greer, Hess, Osborne,