

3976

VETOES

the Maryland Constitution because of its misleading title. A copy of the Opinion of the Attorney General is attached to and should be made a part of this veto message.

For this reason, I have decided to veto Senate Bill 1027.

Sincerely,
/s/ Marvin Mandel
Governor

Letter from State Law Department on Senate Bill 1027

May 9, 1975

Honorable Marvin Mandel
Governor of Maryland
State House
Annapolis, Maryland

Re: Senate Bill 1027

Dear Governor Mandel:

While the first portion of the title of Senate Bill 1027 indicates that it deals with the borrowing powers of Sanitary Districts, the purpose clause specifically states that the Act provides "certain additional borrowing powers for a certain Sanitary District..." The body reflects that in fact the bill, as amended, applies to all Sanitary Districts except one (the Washington Suburban Sanitary District). The title of the bill as originally introduced properly indicated that it applied to all Sanitary Districts in the State, but the title was (improperly) amended when the exception was added for the Washington Suburban Sanitary District.

It is well established, for example, that when the title of a bill indicates that it applies statewide, but in fact it only applies in certain counties, the title is not considered misleading because the legislature frequently provides for exceptions. In other words, the title of a bill can be broader than its body. We do not believe, however, that the principles established in this line of cases can be applied to the converse situation presented by Senate Bill 1027. Notwithstanding the ordinary presumption in favor of the constitutionality of statutes, we believe that the title of Senate Bill 1027 is fatally misleading and restrictive in that it fails altogether to place one on notice that the bill deals with more than a single Sanitary District.

Very truly yours,
/s/ Francis B. Burch