

revising the present language of implicitly repealed Section 181, House Bill 1677 would expressly provide:

Article 27, title "Crimes and Punishments," subheading "Gaming," may not be construed as prohibiting, penalizing or making unlawful the keeping, maintenance, operation or distribution for operation, in Calvert County, by any person, firm or corporation, on and after July 1, 1948, of any mechanical or electrical amusement devices which require the insertion of a coin or token for their operation and which offer an award to the operator based in whole or in part upon chance of his skill if the mechanical or electrical amusement devices or machines are licensed by the person, firm or corporation who owns or operates the premises upon which the amusement devices are maintained for the use of the public as provided in this sub-title.

As you know, Article III, §29, of the Maryland Constitution requires that all changes in the law be adequately described in the title of the bill which makes such changes. Consequently, since the title of the bill purports to be making only nonsubstantive changes, a strong case can be made for the proposition that any substantive change in the law conceivably occasioned by this bill, cannot be constitutionally valid.

However, there is some authority to the effect that a title which cites the article and section which it is amending is constitutionally sufficient to put the General Assembly and the public on notice of substantive changes. See, generally, Everstine, "Titles of Legislative Acts," IX Md.L.Rev. 197, 209-210 (Summer, 1948), citing, inter alia, Second German American Building Association v. Newman, 50 Md. 62 (1878). Furthermore, we note that the title of this bill indicates, inter alia, that it generally relates to "a contemporary approach" to the local Code. While we have no doubt that, as a matter of fact, the contemporary approach intended was one of style only, we are concerned about the possibility that a court might fail to see any need for stylistic revisions of a repealed statute and thus construe the title to reflect a substantive "contemporary approach," i.e., the return of slot machines to Calvert County.

Accordingly, while we strongly suspect that House Bill 1677 may not validly change any substantive law,² there is a possibility to the contrary. That being the case, it is virtually certain that the approval of this bill would result in an attempt to reintroduce slot machines in Calvert County, thereby involving the State in what would certainly be lengthy litigation and exposing the county to the possibility of the