

approval of concession development plans are not properly reflected in the title and are, therefore, invalid, the question arises of whether these provisions are severable. The Court of Appeals has said that the test of severability "is the effectiveness of an act to carry out, without its invalid portions, the legislative intent in enacting it." Wheeler v. State, 281 Md. 593, 607 (1977). As the remaining valid provisions could be effectively carried out, as this would seem to serve the principal purpose of the bill in regulating the making of concession agreements, and as the Board of Public Works could require that such agreements be submitted for its approval under Article 78A, Section 68, we think that, despite some doubt in the matter, the invalid provisions may be severed and that the bill may be signed into law.

Very truly yours,  
Stephen H. Sachs  
Attorney General

-----

Senate Bill No. 634

AN ACT concerning

Creation of a State Debt - Baltimore City Jail

FOR the purpose of authorizing the creation of a State Debt in the amount of ~~\$647,000~~ \$607,000, the proceeds to be used for a State grant to Baltimore-City the Mayor and City Council of Baltimore for the ~~study~~, renovation, improvement and construction of facilities at the Baltimore City Jail; subject to the requirement that the Mayor and City Council of Baltimore provide at least an equal and matching fund of a certain kind for the same purpose; and providing generally for the issue and sale of bonds evidencing the loan.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Baltimore City Jail Loan of 1981 in the aggregate principal amount of ~~\$647,000~~ \$607,000. This loan shall be evidenced by the issuance and sale of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold and delivered in accordance with the provisions of §§ 19 to 23 of Article 31 of the Annotated Code of Maryland (1976 Replacement Volume and 1980 Supplement, as amended from time to time).