

under a worker's compensation law; the title, on the other hand, states that the bill is intended to include as wages only those sickness or accident disability payments that are made under a worker's compensation law.

Article III, Section 29 of the Maryland Constitution requires that "every law enacted by the General Assembly shall embrace but one subject, and that shall be described in its title." It has been held that the purpose of the second part of this provision is to fairly advise the General Assembly and the public of the real nature of pending legislation. Kelly v. State, 139 Md. 204 (1921). It has also been held that one of the essentials of a good title is that it shall not be misleading. Baltimore v. Deegan, 163 Md. 234 (1932); and that the title must not apparently limit the enactment to a much narrower scope than the body of the bill embraces, State v. King, 124 Md. 471 (1914). Clearly, the discrepancy between the title of House Bill 1541 and the body of the bill is so great and obvious that there can be no doubt that the title fails altogether to comply with the constitutional requirements.

In sum, then, we are unable to approve House Bill 1541 for constitutionality. We note, however, that the federal law with which House Bill 1541 was designed to conform does not become effective until January 1, 1985. (For this reason, House Bill 1541 itself was introduced with a proposed delayed effective date of January 1, 1985.) We believe, therefore, that the purposes of House Bill 1541 can be accomplished at the next Regular Session of the General Assembly by enactment of an emergency bill, with a corrected title, that would amend Article 95A, § 20(n) so as to apply to all benefits paid on or after January 1, 1985. An emergency bill is urged so that it could be enacted early in the session and become effective well before employers are required to make their first federal or state quarterly reports for calendar year 1985.

Very truly yours,
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Attorney General

House Bill No. 1541

AN ACT concerning

Unemployment Insurance - Taxable Wages

FOR the purpose of including in an employee's wages, under the Unemployment Insurance Law, payments made under an employer's plan on account of illness or accident disability under a workmen's compensation law; and providing for a delayed effective date.