

DOUGLAS F. GANSLER
ATTORNEY GENERAL

KATHERINE WINFREE
Chief Deputy Attorney General

JOHN B. HOWARD, JR.
Deputy Attorney General



DAN FRIEDMAN
Counsel to the General Assembly

SANDRA BENSON BRANTLEY
BONNIE A. KIRKLAND
KATHRYN M. ROWE
Assistant Attorneys General

THE ATTORNEY GENERAL OF MARYLAND
OFFICE OF COUNSEL TO THE GENERAL ASSEMBLY

April 22, 2013

The Honorable Martin O'Malley
Governor of Maryland
State House
100 State Circle
Annapolis, Maryland 21401-1991

Re: House Bill 1292

Dear Governor O'Malley:

We have reviewed and hereby approve House Bill 1292, Calvert County - Alcoholic Beverages Licenses and Appeals. In approving the bill, we have concluded that it does not violate the single subject requirement of Maryland Constitution Article III, § 29.

As introduced, House Bill 1292 authorized issuance of a Continuing Care Retirement Community alcoholic beverages license in Calvert County. The bill was amended in the Senate to add Calvert County to the list of counties where a court may remand cases involving a petition for judicial review of an alcoholic beverages matter to the local licensing board. Both of these provisions relate to the regulation of alcoholic beverages in Calvert County.

While the link between the two could be stronger, the analysis of whether a bill has crossed the line into having two subjects depends on whether the bill implicates the purposes of the single subject requirement, which are to prevent logrolling and also to protect the Governor's veto power. *Porten Sullivan Corp. v. State*, 318 Md. 387, 403 (1990). In this case, there is no evidence of either. The added language relating to the remand of alcoholic beverages cases does not appear to have been the subject of an earlier bill, the addition of the provision was fully explained in both houses, and nothing indicates that the amendment was controversial. There were no votes against the bill in delegation, in committee, or on the floor either before or after the amendment. No one

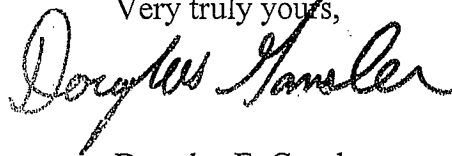
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testified either for or against the bill or the amendment. Moreover, it is our understanding that the sponsor of the bill was consulted about the amendment and raised no objection. Given these facts, it is our view that the bill does not violate the single subject requirement.¹

Very truly yours,



Douglas F. Gansler
Attorney General

DFG/kmr/kk

cc: The Honorable John P. McDonough
Stacy Mayer
Karl Aro

¹ We also note that while the bill currently affects a single facility - Asbury Solomons - the bill will also apply to any such facilities that are created in the future. As a result, the bill is not a special law in violation of Maryland Constitution, Article III, § 33.