

and in its place the General Assembly provided that the issue should be submitted to the voters of Montgomery County in a referendum at the general election to be held in November, 1972. If the vote at said referendum was favorable, the legislation provides "then this act shall become effective". The confusion arises from other language added by amendment in Section 3 stating that "this act shall take effect June 1, 1972".

While we agree that a certain ambiguity does exist, we think that the legislative intent is made clear by the fact that the June 1, 1972 effective date is made "subject to the provisions" already discussed relating to the referendum. For this reason we conclude that the June 1, 1972 effective date has no legal effect and that the effectiveness of the bill must await the outcome of the vote in November, 1972. We hasten to point out, however, that, if a majority of the voters at that election favor this bill, there is a further ambiguity as to when the bill becomes effective. Normally, of course, a bill which is approved by the voters at a referendum takes effect 30 days after such approval (see Article XVI of the Maryland Constitution) but the constitutional provisions relating to the referendum do not apply to a bill in which the right to referendum has been created by the General Assembly.

Very truly yours,

/s/ FRANCIS B. BURCH,  
*Attorney General.*

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#### House Bill No. 218—Intestate Succession

AN ACT to repeal Section 3-104(c) and (d) of Article 93 of the Annotated Code of Maryland (1969 Replacement Volume), title "Decedents' Estates," subtitle "Intestate Succession and Statutory Shares," subheading "Intestate Succession," and to enact new Section 3-104(c) and (d) in lieu thereof, to stand in the place of the section repealed, to provide that intestate succession if there are no surviving parents, brothers, sisters, or issue of a brother or sister, shall be to surviving grandparents or their issue; and to provide that the intestate succession in the event that none of the grandparents or their issue are surviving shall be to the great-grandparents or their issue.

May 28, 1971.

Honorable Thomas Hunter Lowe  
Speaker of the House of Delegates  
State House  
Annapolis, Maryland 21404

Dear Mr. Speaker:

In accordance with Article II, Section 17, of the Maryland Constitution, I have today vetoed House Bill 218.

This bill provides for intestate succession by grandparents and great-grandparents under certain circumstances.