
By: Worcester County Delegation

Introduced and read first time: February 12, 1997

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 31, 1997

CHAPTER _____

1 AN ACT concerning

2 **Worcester County - Alcoholic Beverages**
3 **(Liquor Dispensary System and Licenses)**4 FOR the purpose of terminating the Liquor Control Board and the Dispensary System in
5 Worcester County; correcting and establishing certain license fees; imposing certain
6 conditions, restrictions, and requirements on the Board of License Commissioners
7 and the Liquor Control Board; providing for a transition; specifying certain
8 personnel and personnel-related matters; submitting parts of this Act to a
9 referendum of the legally qualified voters of Worcester County; providing for the
10 termination of portions of this Act; and generally relating to alcoholic beverages in
11 Worcester County.

12 BY repealing and reenacting, with amendments,

13 Article 2B - Alcoholic Beverages
14 Section 3-101(y), 3-201(y), 3-301(y), 3-401(y), 5-101(y), 5-201(y), 5-301(y),
15 5-401(y), 6-101(y), 6-201(y)(2), 6-301(y)(2), 6-401(y)(2)(ii) and (iii),
16 9-102(j)(2)(i) and (3)(i), 15-112(s), 15-201(i)(2), 15-202(c)(1), 15-203(a)(3),
17 and 15-210
18 Annotated Code of Maryland
19 (1996 Replacement Volume)

20 BY repealing and reenacting, with amendments,

21 Article 2B - Alcoholic Beverages
22 Section 6-201(y)(2), 6-203(c), 6-301(y)(2), and 6-401(y)(2)(ii) and (iii)
23 Annotated Code of Maryland
24 (1996 Replacement Volume)
25 (As enacted by Section 1 of this Act)

2

1 BY adding to

2 Article 2B - Alcoholic Beverages
3 Section 6-203, 9-102(j)(7), and 15-201(l)
4 Annotated Code of Maryland
5 (1996 Replacement Volume)

6 BY repealing

7 Article 2B - Alcoholic Beverages
8 Section 6-201(y)(7), 6-301(y)(8), 6-401(y)(2)(vi), ~~15-201(e)(2)(iv)~~ 15-201(d)(5),
9 (e)(2)(iv), and (h)(7), 15-202(b)(2)(iv) and (c)(3), 15-203(f), 15-205(l), and
10 15-207(h)
11 Annotated Code of Maryland
12 (1996 Replacement Volume)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article 2B - Alcoholic Beverages**

16 3-101.

17 (y) (1) This subsection applies in Worcester County.

18 (2) The annual 6 day license fee is [\$175] \$225.

19 (3) The annual 7 day license fee is [\$200] \$250.

20 (4) The hours for sale are as provided in § 11-524 of this article.

21 3-201.

22 (y) (1) This subsection applies in Worcester County.

23 (2) The annual six day license fee is [\$250] \$275.

24 (3) The annual seven day license fee, applied countywide (exclusive of the
25 tenth election district), is [\$300] \$350.

26 (4) The annual seven day license fee, for the tenth election district only, is
27 [\$300] \$350.

28 (5) The hours for sale are as provided in § 11-524.

29 3-301.

30 (y) (1) In Worcester County the annual license fee is [\$125] \$150.

31 (2) The hours for sale shall be as provided in § 11-524 of this article.

32 3-401.

33 (y) (1) This subsection applies in Worcester County.

34 (2) The six-day annual license fee is [\$250] \$325.

3

1 (3) The seven-day annual license fee, applied countywide, is [~~\$275~~] \$450.

2 (4) The hours for sale are as provided in § 11-524.

3 5-101.

4 (y) (1) This subsection applies only in Worcester County.

5 (2) The annual license fee for a six day license is [~~\$200~~] \$250.

6 (3) The annual license fee for a seven day license, applied countywide is
7 [~~\$275~~] \$300.

8 5-201.

9 (y) (1) This subsection applies only in Worcester County.

10 (2) The annual license fee for a 6 day license is [~~\$250~~] \$300.

11 (3) The annual license fee for a 7 day license, applied countywide (exclusive
12 of tenth election district) is [~~\$350~~] \$400.

13 (4) The annual license fee for a 7 day license, tenth election district only is
14 [~~\$350~~] \$400.

15 5-301.

16 (y) (1) In Worcester County the annual license fee is [~~\$150~~] \$200.

17 (2) The hours for sale shall be as provided in § 11-524 of this article.

18 5-401.

19 (y) (1) This subsection applies only in Worcester County.

20 (2) The annual 6-day license fee is [~~\$250~~] \$350.

21 (3) The annual 7-day license fee, applied countywide, is [~~\$300~~] \$500.

22 (4) The hours for sale are as provided in § 11-524 of this article.

23 6-201.

24 (y) (2) The annual license fees for the following types of licenses are:

25 (i) Six-day licenses - [~~\$1,250~~] \$1,750; and

26 (ii) Seven-day licenses - [~~\$1,500~~] \$2,500.

27 6-203.

28 (A) THIS SECTION APPLIES ONLY IN WORCESTER COUNTY.

29 (B) (1) A CLASS H BEER, WINE AND LIQUOR LICENSE SHALL BE ISSUED BY
30 THE LICENSE ISSUING AUTHORITY OF THE COUNTY IN WHICH THE PLACE OF
31 BUSINESS IS LOCATED. THE LICENSE AUTHORIZES THE HOLDER TO KEEP FOR SALE
32 AND TO SELL BEER, WINE AND LIQUOR AT RETAIL AT ANY HOTEL OR RESTAURANT,

4

1 AT THE PLACE DESCRIBED IN THE LICENSE, FOR CONSUMPTION ONLY ON THE
2 PREMISES.

3 (2) THE ANNUAL FEE SHALL BE PAID TO THE LOCAL COLLECTING
4 AGENT BEFORE ANY LICENSE IS ISSUED, FOR DISTRIBUTION AS PROVIDED IN THIS
5 ARTICLE.

6 (C) THE ANNUAL LICENSE FEE IS:

7 (1) 6-DAY LICENSE.....\$1,700; OR

8 (2) 7-DAY LICENSE.....\$2,400.

9 6-301.

10 (y) (2) (I) The annual license fee FOR A SIX-DAY LICENSE is [\$250] \$500;
11 AND

12 (II) THE ANNUAL LICENSE FEE FOR A SEVEN-DAY LICENSE IS \$750.

13 6-401.

14 (y) (2) (ii) The annual license fee for the six-day license is [\$1,300] \$3,000.

15 (iii) The annual license fee for the seven-day license is [\$1,625] \$3,500.

16 9-102.

17 (j) (2) (i) Notwithstanding any other provisions of this section, the holder of
18 a Class B, (on-sale -- hotels and restaurants) beer, wine and liquor license [or], Class B,
19 (on-sale -- hotels and restaurants) beer and light wine license, OR CLASS H (ON-SALE
20 ONLY -- HOTELS AND RESTAURANTS) BEER, WINE AND LIQUOR LICENSE under this
21 article, by making application in the regular manner and paying the usual fee may obtain
22 additional Class B, (on-sale -- hotels and restaurants) beer, wine and liquor [or], Class
23 B, (on-sale -- hotels and restaurants) beer and light wine, OR CLASS H (ON-SALE ONLY
24 -- HOTELS AND RESTAURANTS) BEER, WINE AND LIQUOR license for premises used
25 and occupied as a bona fide restaurant, as may be defined by the [rules and] regulations
26 of the Board of License Commissioners.

27 (3) (i) Notwithstanding any other provisions of this section, the holder of
28 a Class B, (on-sale -- hotels and restaurants) beer, wine and liquor license [or], Class B,
29 (on-sale -- hotels and restaurants) beer and light wine license, OR CLASS H (ON-SALE
30 ONLY -- HOTELS AND RESTAURANTS) BEER, WINE AND LIQUOR LICENSE under this
31 article, by making application in the regular manner and paying the usual fee may obtain
32 additional Class B, (on-sale -- hotels and restaurants), beer, wine and liquor or Class B
33 (on-sale -- hotels and restaurants), beer and light wine, OR CLASS H (ON-SALE ONLY --
34 HOTELS AND RESTAURANTS) BEER, WINE AND LIQUOR licenses for premises used and
35 operated as public hotel-restaurant or motel-restaurant complexes.

36 15-112.

37 (s) (1) [No County Commissioner of Worcester County shall receive any
38 additional compensation for serving on the Board.] THIS SUBSECTION APPLIES ONLY IN
39 WORCESTER COUNTY.

5

1 (2) (i) [In Worcester County the] THE Board [of License
2 Commissioners], with the consent of the County Commissioners, may appoint an
3 inspector.

4 (ii) 1. The salary of the inspector shall be as provided in the County
5 budget.

6 2. The duties of the inspector shall be as specified by the Board
7 [of License Commissioners], including the proper administration and enforcement of the
8 alcoholic beverages laws in Worcester County.

9 (iii) For the purpose of the alcoholic beverages laws, the inspector shall
10 have all the powers of a peace officer or sheriff of this State.

11 (iv) The inspector shall make an oath to perform the duties entrusted,
12 as provided in Article I, § 9, of the Constitution of Maryland.

13 15-201.

14 (L) (1) THIS SUBSECTION APPLIES ONLY IN WORCESTER COUNTY.

15 (2) THE BOARD SHALL PRESENT ITS BUDGET ANNUALLY TO THE
16 COUNTY COMMISSIONERS ON THE SAME DAY THAT THE COUNTY COMMISSIONERS
17 PRESENT THE BUDGET FOR THE COUNTY. THE BOARD SHALL BE PRESENT AT THAT
18 MEETING SO AS TO BE ABLE TO ANSWER ANY QUESTIONS THAT THE COUNTY
19 COMMISSIONERS OR THE PUBLIC MIGHT HAVE.

20 ~~(3) IN ADDITION TO REGULAR AND SYSTEMATIC AUDITING OF ITS~~
21 ~~BOOKS AND RECORDS BY A PRIVATE AUDITING COMPANY, THE BOOKS AND~~
22 ~~RECORDS FOR THE BOARD SHALL BE AUDITED ON A REGULAR AND SYSTEMATIC~~
23 ~~SCHEDULE BY THE LEGISLATIVE AUDITOR.~~

24 ~~(4) (3) THE BOARD SHALL ADHERE TO COUNTY PERSONNEL~~
25 ~~PRACTICES. BY WAY OF ILLUSTRATION, THE BOARD SHALL ADVERTISE FOR~~
26 ~~VACANT POSITIONS AND SELECT THE MOST QUALIFIED PERSON AND SHALL~~
27 ~~AFFORD AN EMPLOYEE ALL COUNTY TERMINATION RIGHTS.~~

28 ~~(5) (4) THE LIQUOR CONTROL BOARD MAY NOT EXPEND ANY FUNDS~~
29 ~~IN AN ATTEMPT TO INFLUENCE THE REFERENDUM TO BE HELD IN NOVEMBER, 1998,~~
30 ~~THAT IS REQUIRED BY STATE STATUTE.~~

31 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
32 read as follows:

33 **Article 2B - Alcoholic Beverages**

34 6-101.

35 (y) (1) This [section does not apply] SUBSECTION APPLIES ONLY in
36 Worcester County.

37 (2) (I) AS OF MAY 1, ~~2000~~ 1999, THE ANNUAL LICENSE FEE CONSISTS OF
38 TWO PARTS:

6

1 1. A BASIC FEE OF \$5,000; AND

2 2. A GALLONAGE FEE OF \$3.12 PER GALLON.

3 ~~(H) 1. THE GALLONAGE FEE IS CALCULATED ONLY ON SALES~~
4 ~~OF SPIRITUOUS LIQUORS.~~

5 ~~2. BY MARCH 1 EACH YEAR, EACH WHOLESALE DEALER IN~~
6 ~~SPIRITUOUS LIQUORS SHALL REPORT TO THE BOARD OF LICENSE COMMISSIONERS~~
7 ~~THE NUMBER OF GALLONS OF SPIRITUOUS LIQUORS THE DEALER SOLD DURING~~
8 ~~THE PRECEDING CALENDAR YEAR TO EACH HOLDER OF A CLASS A BEER, WINE AND~~
9 ~~LIQUOR LICENSE. THE BOARD SHALL USE THAT AMOUNT IN CALCULATING THE~~
10 ~~GALLONAGE FEE SPECIFIED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH FOR THE~~
11 ~~NEXT ENSUING LICENSE YEAR, WHICH BEGINS ON MAY 1.~~

12 ~~(3) IF A LICENSEE UNDER THIS SECTION IS LOCATED WITHIN THE~~
13 ~~BOUNDARIES OF A MUNICIPAL CORPORATION, HALF OF THE GALLONAGE FEE~~
14 ~~SHALL BE REMITTED ANNUALLY TO THAT MUNICIPAL CORPORATION; THE~~
15 ~~REMAINING HALF SHALL BE DEPOSITED IN THE GENERAL FUNDS OF THE COUNTY.~~
16 ~~IF A LICENSEE IS NOT LOCATED IN A MUNICIPAL CORPORATION, BOTH THE BASIC~~
17 ~~AND GALLONAGE FEES SHALL BE DEPOSITED IN THE GENERAL FUNDS OF THE~~
18 ~~COUNTY. AN ADDITIONAL LICENSE FEE AS FOLLOWS:~~

19 A. TAX DISTRICT 1 (POCOMOKE CITY): \$30,000;

20 B. TAX DISTRICT 2 (SNOW HILL): \$21,000;

21 C. TAX DISTRICT 3 (BERLIN): \$30,000;

22 D. TAX DISTRICT 3A (OCEAN PINES), AS DEFINED IN
23 PARAGRAPH (5) OF THIS SUBSECTION: \$30,000;

24 E. TAX DISTRICT 10 (OCEAN CITY): \$35,000; AND

25 F. AT LARGE: \$35,000.

26 (II) AS OF MAY 1, 2002, THE ADDITIONAL FEE SHALL BE REDUCED
27 BY 20% EACH YEAR.

28 (III) LICENSE FEES UNDER THIS SUBSECTION SHALL BE PAYED AS
29 FOLLOWS:

30 1. THE BASIC FEES SHALL BE DEPOSITED IN THE GENERAL
31 FUNDS OF THE COUNTY; AND

32 2. A. FOR EACH ADDITIONAL FEE DESCRIBED IN
33 PARAGRAPH (2)(I) OF THIS SUBSECTION, HALF OF EACH FEE SHALL BE REMITTED TO
34 THE MUNICIPAL CORPORATION IN WHICH THE LICENSEE IS LOCATED AND THE
35 OTHER HALF SHALL BE DEPOSITED IN THE GENERAL FUNDS OF THE COUNTY.

36 B. IF THE LICENSEE IS NOT LOCATED WITHIN A MUNICIPAL
37 CORPORATION, BOTH THE BASIC AND THE ADDITIONAL FEE SHALL BE DEPOSITED
38 IN THE GENERAL FUNDS OF THE COUNTY.

7

- 1 ~~(4)~~ (3) THE BOARD MAY ISSUE TEN LICENSES, AS FOLLOWS:
- 2 (I) TAX DISTRICT 1 (POCOMOKE CITY)1
- 3 (II) TAX DISTRICT 2 (SNOW HILL).....1
- 4 (III) TAX DISTRICT 3 (BERLIN).....1
- 5 (IV) TAX DISTRICT 3A (OCEAN PINES) (AS SPECIFIED IN PARAGRAPH
- 6 (5) BELOW).....1
- 7 (V) TAX DISTRICT 10 (OCEAN CITY).....4
- 8 (VI) LOCATED AT THE DISCRETION OF THE BOARD AND SUBJECT
- 9 TO THE APPROVAL OF THE COUNTY COMMISSIONERS.....2

10 ~~(5)~~ (4) FOR PURPOSES OF THIS ARTICLE ONLY, TAX DISTRICT 3A IS
 11 DEFINED AS ALL OF TAX DISTRICT 3A PLUS THAT LAND THAT IS WITHIN 2,000 FEET
 12 TO THE WEST SIDE OF MARYLAND RT. 589, WHICH LIES WITHIN TAX DISTRICT 3 BUT
 13 WHICH IS INCLUDED WITHIN THIS TAX DISTRICT FOR LICENSURE PURPOSES. THE
 14 2,000-FOOT AREA SHALL BEGIN AT RT. 113 ON THE NORTH AND END AT RT. 50 ON THE
 15 SOUTH.

16 6-201.

17 (y) (2) (I) The annual license fees for the following types of licenses CONSIST
 18 OF TWO PARTS [are]:

19 [(i)] 1. A. [Six-day licenses] A SIX-DAY BASIC LICENSE-- \$1,750;
 20 [and] OR

21 [(ii)] B. [Seven-day licenses] A SEVEN-DAY BASIC LICENSE --
 22 \$2,500; AND

23 2. ~~A GALLONAGE FEE OF \$3.12 PER GALLON.~~

24 ~~(ii) 1. THE GALLONAGE FEE IS CALCULATED ONLY ON SALES~~
 25 ~~OF SPIRITUOUS LIQUORS.~~

26 ~~2. BY MARCH 1 EACH YEAR, EACH WHOLESALE DEALER IN~~
 27 ~~SPIRITUOUS LIQUORS SHALL REPORT TO THE BOARD OF LICENSE COMMISSIONERS~~
 28 ~~THE NUMBER OF GALLONS OF SPIRITUOUS LIQUORS THE DEALER SOLD DURING~~
 29 ~~THE PRECEDING CALENDAR YEAR TO EACH HOLDER OF A CLASS B BEER, WINE AND~~
 30 ~~LIQUOR LICENSE. THE BOARD SHALL USE THAT AMOUNT IN CALCULATING THE~~
 31 ~~GALLONAGE FEE SPECIFIED IN SUBPARAGRAPH (i) OF THIS PARAGRAPH FOR THE~~
 32 ~~NEXT ENSUING LICENSE YEAR, WHICH BEGINS ON MAY 1.~~

33 A. AS OF MAY 1, 1999, AN ADDITIONAL FEE THAT IS BASED
 34 ON THE TOTAL DOLLAR AMOUNT OF WHOLESALE PURCHASES OF SPIRITUOUS
 35 LIQUORS BY THE LICENSEE FROM THE BOARD OF LICENSE COMMISSIONERS IN THE
 36 LICENSE YEAR ENDING APRIL 30, 1999, IN ACCORDANCE WITH THE FOLLOWING FEE
 37 SCHEDULE:

1 BEGIN-TABLE:c=02:004:041
2 <Tr01 >AMOUNT OF PURCHASES
3 <Tc02 >FEE
4 <Tr01 >\$1 - \$2,000
5 <Tc02 >\$75
6 <Tr01 >\$2,001 - \$5,000
7 <Tc02 >\$250
8 <Tr01 >\$5,001 - \$10,000
9 <Tc02 >\$675
10 <Tr01 >FOR EACH ADDITIONAL \$5,000 UP TO \$100,000 AN ADDITIONAL \$450
11 <Tr01 >\$100,001 - \$150,000
12 <Tc02 >\$11,800
13 <Tr01 >\$150,001 - \$200,000
14 <Tc02 >\$15,800
15 <Tr01 >FOR EACH ADDITIONAL \$50,000 UP TO \$1,000,000 AN ADDITIONAL \$4,000
16 <Tr01 >\$1,000,001 OR GREATER
17 <Tc02 >\$83,800
18 END-TABLE

19 B. AS OF MAY 1, 2001, AN ADDITIONAL FEE THAT IS BASED
20 ON THE TOTAL DOLLAR AMOUNT OF WHOLESALE PURCHASES OF SPIRITUOUS
21 LIQUORS BY THE LICENSEE FROM WHOLESALE DEALERS IN THE PRECEDING
22 CALENDAR YEAR, IN ACCORDANCE WITH THE FEE SCHEDULE UNDER
23 SUB-SUB-SUBPARAGRAPH A OF THIS SUB-SUBPARAGRAPH.

24 C. IF A LICENSEE IS IN THE FIRST YEAR OF OPERATION, THE
25 ADDITIONAL LICENSE FEE PROVIDED IN THE FEE SCHEDULE SHALL BE BASED ON:

26 I. AS OF MAY 1, 1999, THE TOTAL DOLLAR AMOUNT OF
27 WHOLESALE PURCHASES OF SPIRITUOUS LIQUORS BY ALL LICENSEES OF THE SAME
28 CLASS WITHIN THE COUNTY FROM THE BOARD OF LICENSE COMMISSIONERS IN THE
29 YEAR ENDING APRIL 1, 1999, DIVIDED BY THE TOTAL NUMBER OF SUCH LICENSEES;
30 AND

31 II. AS OF MAY 1, 2001, THE TOTAL DOLLAR AMOUNT OF
32 WHOLESALE PURCHASES OF SPIRITUOUS LIQUORS BY ALL LICENSEES OF THE SAME
33 CLASS WITHIN THE COUNTY FROM WHOLESALE DEALERS IN THE PRECEDING
34 CALENDAR YEAR, DIVIDED BY THE TOTAL NUMBER OF SUCH LICENSEES.

35 D. AS OF MAY 1, 2002, THE ADDITIONAL FEE SHALL BE
36 REDUCED BY 20% EACH YEAR.

37 (II) FOR PURPOSES OF DETERMINING THE AMOUNT OF
38 WHOLESALE PURCHASES DESCRIBED IN PARAGRAPH (2)(I)2B AND C OF THIS
39 SUBSECTION, EACH WHOLESALE DEALER IN SPIRITUOUS LIQUORS SHALL REPORT
40 TO THE BOARD OF LICENSE COMMISSIONERS BY MARCH 1 OF EACH YEAR THE
41 TOTAL DOLLAR AMOUNT OF SPIRITUOUS LIQUORS THE DEALER SOLD DURING THE
42 PRECEDING CALENDAR YEAR TO EACH LICENSEE.

43 [(7) All licensees shall purchase all wines and liquors, except light wine and
44 beer, from the Liquor Control Board for Worcester County. They shall be charged 85
45 percent of the retail price or any special sale price or discount price, whichever is lower,
46 set by the Board for wines and liquors. However, the price the Board charges to the
47 licensees may not be lower than 10 percent above the cost the Liquor Control Board must
48 pay for the merchandise to wholesalers. All licensees may purchase beer and light wine
49 from licensed wholesalers.]

9

1 6-203.

2 (c) (1) [The] THERE ARE TWO PARTS TO THE annual license fee [is]:

3 [(1)] (I) 1. A 6-day BASIC license.....\$1,700; or

4 [(2)] 2. A 7-day BASIC license.....\$2,400; AND

5 (II) ~~A GALLONAGE FEE OF \$3.12 PER GALLON.~~

6 ~~(2) (I) THE GALLONAGE FEE IS CALCULATED ONLY ON SALES OF~~
7 ~~SPIRITUOUS LIQUORS.~~

8 ~~(II) BY MARCH 1 EACH YEAR, EACH WHOLESALE DEALER IN~~
9 ~~SPIRITUOUS LIQUORS SHALL REPORT TO THE BOARD OF LICENSE COMMISSIONERS~~
10 ~~THE NUMBER OF GALLONS OF SPIRITUOUS LIQUORS THE DEALER SOLD DURING~~
11 ~~THE PRECEDING CALENDAR YEAR TO EACH HOLDER OF A CLASS H BEER, WINE AND~~
12 ~~LIQUOR LICENSE. THE BOARD SHALL USE THAT AMOUNT IN CALCULATING THE~~
13 ~~GALLONAGE FEE SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION FOR THE NEXT~~
14 ~~ENSUING LICENSE YEAR, WHICH BEGINS ON MAY 1.~~

15 1. AS OF MAY 1, 1999, AN ADDITIONAL FEE THAT IS BASED
16 ON THE TOTAL DOLLAR AMOUNT OF WHOLESALE PURCHASES OF SPIRITUOUS
17 LIQUORS BY THE LICENSEE FROM THE BOARD OF LICENSE COMMISSIONERS IN THE
18 LICENSE YEAR ENDING APRIL 30, 1999, IN ACCORDANCE WITH THE FOLLOWING FEE
19 SCHEDULE:

20 BEGIN-TABLE;c=02:004:041

21 <Tr01 >AMOUNT OF PURCHASES

22 <Tc02 >FEE

23 <Tr01 >\$1 - \$2,000

24 <Tc02 >\$75

25 <Tr01 >\$2,001 - \$5,000

26 <Tc02 >\$250

27 <Tr01 >\$5,001 - \$10,000

28 <Tc02 >\$675

29 <Tr01 >FOR EACH ADDITIONAL \$5,000 UP TO \$100,000 AN ADDITIONAL \$450

30 <Tr01 >\$100,001 - \$150,000

31 <Tc02 >\$11,800

32 <Tr01 >\$150,001 - \$200,000

33 <Tc02 >\$15,800

34 <Tr01 >FOR EACH ADDITIONAL \$50,000 UP TO \$1,000,000 AN ADDITIONAL \$4,000

35 <Tr01 >\$1,000,001 OR GREATER

36 <Tc02 >\$83,800

37 END-TABLE

38 2. AS OF MAY 1, 2001, AN ADDITIONAL FEE THAT IS BASED
39 ON THE TOTAL DOLLAR AMOUNT OF WHOLESALE PURCHASES OF SPIRITUOUS
40 LIQUORS BY THE LICENSEE FROM WHOLESALE DEALERS IN THE PRECEDING
41 CALENDAR YEAR, IN ACCORDANCE WITH THE FEE SCHEDULE UNDER
42 SUB-SUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.

43 3. IF A LICENSEE IS IN THE FIRST YEAR OF OPERATION, THE
44 ADDITIONAL LICENSE FEE PROVIDED IN THE FEE SCHEDULE SHALL BE BASED ON:

45 A. AS OF MAY 1, 1999, THE TOTAL DOLLAR AMOUNT OF
46 WHOLESALE PURCHASES OF SPIRITUOUS LIQUORS BY ALL LICENSEES OF THE SAME
47 CLASS WITHIN THE COUNTY FROM THE BOARD OF LICENSE COMMISSIONERS IN THE

10

1 YEAR ENDING APRIL 1, 1999, DIVIDED BY THE TOTAL NUMBER OF SUCH LICENSEES;
2 AND

3 B. AS OF MAY 1, 2001, THE TOTAL DOLLAR AMOUNT OF
4 WHOLESALE PURCHASES OF SPIRITUOUS LIQUORS BY ALL LICENSEES OF THE SAME
5 CLASS WITHIN THE COUNTY FROM WHOLESALE DEALERS IN THE PRECEDING
6 CALENDAR YEAR, DIVIDED BY THE TOTAL NUMBER OF SUCH LICENSEES.

7 4. AS OF MAY 1, 2002, THE ADDITIONAL FEE SHALL BE
8 REDUCED BY 20% EACH YEAR.

9 (2) FOR PURPOSES OF DETERMINING THE AMOUNT OF WHOLESALE
10 PURCHASES DESCRIBED IN PARAGRAPH (1)(II)2 AND 3 OF THIS SUBSECTION, EACH
11 WHOLESALE DEALER IN SPIRITUOUS LIQUORS SHALL REPORT TO THE BOARD OF
12 LICENSE COMMISSIONERS BY MARCH 1 OF EACH YEAR THE TOTAL DOLLAR
13 AMOUNT OF SPIRITUOUS LIQUORS THE DEALER SOLD DURING THE PRECEDING
14 CALENDAR YEAR TO EACH LICENSEE.

15 6-301.

16 (y) (2) (i) The annual license fee [for a six-day license is] CONSISTS OF
17 TWO PARTS:

18 1. A. A SIX-DAY BASIC LICENSE OF \$500; [and

19 (ii) The annual license fee for a seven-day] OR

20 B. A SEVEN-DAY BASIC license [is] OF \$750; AND

21 2. ~~A GALLONAGE FEE OF \$3.12 PER GALLON.~~

22 ~~(ii) 1. THE GALLONAGE FEE IS CALCULATED ONLY ON SALES~~
23 ~~OF SPIRITUOUS LIQUORS.~~

24 ~~2. BY MARCH 1 EACH YEAR, EACH WHOLESALE DEALER IN~~
25 ~~SPIRITUOUS LIQUORS SHALL REPORT TO THE BOARD OF LICENSE COMMISSIONERS~~
26 ~~THE NUMBER OF GALLONS OF SPIRITUOUS LIQUORS THE DEALER SOLD DURING~~
27 ~~THE PRECEDING CALENDAR YEAR TO EACH HOLDER OF A CLASS A BEER, WINE AND~~
28 ~~LIQUOR LICENSE. THE BOARD SHALL USE THAT AMOUNT IN CALCULATING THE~~
29 ~~GALLONAGE FEE SPECIFIED IN SUBPARAGRAPH (i) OF THIS PARAGRAPH FOR THE~~
30 ~~NEXT ENSUING LICENSE YEAR, WHICH BEGINS ON MAY 1.~~

31 A. AS OF MAY 1, 1999, AN ADDITIONAL FEE THAT IS BASED
32 ON THE TOTAL DOLLAR AMOUNT OF WHOLESALE PURCHASES OF SPIRITUOUS
33 LIQUORS BY THE LICENSEE FROM THE BOARD OF LICENSE COMMISSIONERS IN THE
34 LICENSE YEAR ENDING APRIL 30, 1999, IN ACCORDANCE WITH THE FOLLOWING FEE
35 SCHEDULE:

36 BEGIN-TABLE;c=02:004:041

37 <Tr01 >AMOUNT OF PURCHASES

38 <Tc02 >FEE

39 <Tr01 >\$1 - \$2,000

40 <Tc02 >\$75

41 <Tr01 >\$2,001 - \$5,000

42 <Tc02 >\$250

43 <Tr01 >\$5,001 - \$10,000

44 <Tc02 >\$675

45 <Tc02 >

11

1 <Tr01 >FOR EACH ADDITIONAL \$5,000 UP TO \$100,000 AN ADDITIONAL \$450
2 <Tr01 >\$100,001 - \$150,000
3 <Tc02 >\$11,800
4 <Tr01 >\$150,001 - \$200,000
5 <Tc02 >\$15,800
6 <Tr01 >FOR EACH ADDITIONAL \$50,000 UP TO \$1,000,000 AN ADDITIONAL \$4,000
7 <Tr01 >\$1,000,001 OR GREATER
8 <Tc02 >\$83,800
9 END-TABLE

10 B. AS OF MAY 1, 2001, AN ADDITIONAL FEE THAT IS BASED
11 ON THE TOTAL DOLLAR AMOUNT OF WHOLESALE PURCHASES OF SPIRITUOUS
12 LIQUORS BY THE LICENSEE FROM WHOLESALE DEALERS IN THE PRECEDING
13 CALENDAR YEAR, IN ACCORDANCE WITH THE FEE SCHEDULE UNDER
14 SUB-SUB-SUBPARAGRAPH A OF THIS SUB-SUBPARAGRAPH.
15 BEGIN-TABLE;c=02:004:041
16 <Tr01 >AMOUNT OF PURCHASES
17 <Tc02 >FEE
18 <Tr01 >\$1 - \$2,000
19 <Tc02 >\$45
20 <Tr01 >\$2,001 - \$5,000
21 <Tc02 >\$150
22 <Tr01 >\$5,001 - \$10,000
23 <Tc02 >\$405
24 <Tr01 >FOR EACH ADDITIONAL \$5,000 UP TO \$100,000 AN ADDITIONAL \$270
25 <Tr01 >\$100,001 - \$150,000
26 <Tc02 >\$7,080
27 <Tr01 >\$150,001 - \$200,000
28 <Tc02 >\$9,480
29 <Tr01 >FOR EACH ADDITIONAL \$50,000 UP TO \$1,000,000 AN ADDITIONAL \$2,400
30 <Tr01 >\$1,000,001 OR GREATER
31 <Tc02 >\$50,280
32 END-TABLE

33 C. IF A LICENSEE IS IN THE FIRST YEAR OF OPERATION, THE
34 ADDITIONAL LICENSE FEE PROVIDED IN THE FEE SCHEDULE SHALL BE BASED ON:

35 I. AS OF MAY 1, 1999, THE TOTAL DOLLAR AMOUNT OF
36 WHOLESALE PURCHASES OF SPIRITUOUS LIQUORS BY ALL LICENSEES OF THE SAME
37 CLASS WITHIN THE COUNTY FROM THE BOARD OF LICENSE COMMISSIONERS IN THE
38 YEAR ENDING APRIL 1, 1999, DIVIDED BY THE TOTAL NUMBER OF SUCH LICENSEES;
39 AND

40 II. AS OF MAY 1, 2001, THE TOTAL DOLLAR AMOUNT OF
41 WHOLESALE PURCHASES OF SPIRITUOUS LIQUORS BY ALL LICENSEES OF THE SAME
42 CLASS WITHIN THE COUNTY FROM WHOLESALE DEALERS IN THE PRECEDING
43 CALENDAR YEAR, DIVIDED BY THE TOTAL NUMBER OF SUCH LICENSEES.

44 D. AS OF MAY 1, 2002, THE ADDITIONAL FEE SHALL BE
45 REDUCED BY 20% EACH YEAR.

46 (II) FOR PURPOSES OF DETERMINING THE AMOUNT OF
47 WHOLESALE PURCHASES DESCRIBED IN PARAGRAPH (2)(I)2B AND C OF THIS
48 SUBSECTION, EACH WHOLESALE DEALER IN SPIRITUOUS LIQUORS SHALL REPORT
49 TO THE BOARD OF LICENSE COMMISSIONERS BY MARCH 1 OF EACH YEAR THE
50 TOTAL DOLLAR AMOUNT OF SPIRITUOUS LIQUORS THE DEALER SOLD DURING THE
51 PRECEDING CALENDAR YEAR TO EACH LICENSEE.

12

1 [(8) Every licensee shall purchase all wines and liquors, except light wine and
 2 beer, sold by them from the Worcester County Liquor Control Board dispensaries. The
 3 licensee shall receive a 15 percent discount from the retail sales price or any special sale
 4 price or discount price, whichever is lower. However, the price the Board charges to the
 5 licensees may not be lower than 10 percent above the cost the Liquor Control Board must
 6 pay for the merchandise to wholesalers. All licensees may purchase beer and light wine
 7 from licensed wholesalers.]

8 6-401.

9 (y) (2) (ii) The annual license fee [for the] CONSISTS OF TWO PARTS:

10 1. A. A six-day BASIC license [is] OF \$3,000; OR

11 [(iii)] B. [The annual license fee for the] A seven-day BASIC license
 12 [is] OF \$3,500; AND

13 2. ~~A GALLONAGE FEE OF \$3.12 PER GALLON.~~

14 ~~(iii) 1. THE GALLONAGE FEE IS CALCULATED ONLY ON SALES
 15 OF SPIRITUOUS LIQUORS.~~

16 ~~2. BY MARCH 1 EACH YEAR, EACH WHOLESALE DEALER IN
 17 SPIRITUOUS LIQUORS SHALL REPORT TO THE BOARD OF LICENSE COMMISSIONERS
 18 THE NUMBER OF GALLONS OF SPIRITUOUS LIQUORS THE DEALER SOLD DURING
 19 THE PRECEDING CALENDAR YEAR TO EACH HOLDER OF A CLASS D BEER, WINE AND
 20 LIQUOR LICENSE. THE BOARD SHALL USE THAT AMOUNT IN CALCULATING THE
 21 GALLONAGE FEE SPECIFIED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH FOR THE
 22 NEXT ENSUING LICENSE YEAR, WHICH BEGINS ON MAY 1.~~

23 A. AS OF MAY 1, 1999, AN ADDITIONAL FEE THAT IS BASED
 24 ON THE TOTAL DOLLAR AMOUNT OF WHOLESALE PURCHASES OF SPIRITUOUS
 25 LIQUORS BY THE LICENSEE FROM THE BOARD OF LICENSE COMMISSIONERS IN THE
 26 LICENSE YEAR ENDING APRIL 30, 1999, IN ACCORDANCE WITH THE FOLLOWING FEE
 27 SCHEDULE:

28 BEGIN-TABLE;c=02:004:041

29 <Tr01 >AMOUNT OF PURCHASES

30 <Tc02 >FEE

31 <Tr01 >\$1 - \$2,000

32 <Tc02 >\$75

33 <Tr01 >\$2,001 - \$5,000

34 <Tc02 >\$250

35 <Tr01 >\$5,001 - \$10,000

36 <Tc02 >\$675

37 <Tr01 >FOR EACH ADDITIONAL \$5,000 UP TO \$100,000 AN ADDITIONAL \$450

38 <Tr01 >\$100,001 - \$150,000

39 <Tc02 >\$11,800

40 <Tr01 >\$150,001 - \$200,000

41 <Tc02 >\$15,800

42 <Tr01 >FOR EACH ADDITIONAL \$50,000 UP TO \$1,000,000 AN ADDITIONAL \$4,000

43 <Tr01 >\$1,000,001 OR GREATER

44 <Tc02 >\$83,800

45 END-TABLE

46 B. AS OF MAY 1, 2001, AN ADDITIONAL FEE THAT IS BASED
 47 ON THE TOTAL DOLLAR AMOUNT OF WHOLESALE PURCHASES OF SPIRITUOUS
 48 LIQUORS BY THE LICENSEE FROM WHOLESALE DEALERS IN THE PRECEDING

13

1 CALENDAR YEAR, IN ACCORDANCE WITH THE FEE SCHEDULE UNDER
2 SUB-SUB-SUBPARAGRAPH A OF THIS SUB-SUBPARAGRAPH.

3 C. IF A LICENSEE IS IN THE FIRST YEAR OF OPERATION, THE
4 ADDITIONAL LICENSE FEE PROVIDED IN THE FEE SCHEDULE SHALL BE BASED ON:

5 I. AS OF MAY 1, 1999, THE TOTAL DOLLAR AMOUNT OF
6 WHOLESALE PURCHASES OF SPIRITUOUS LIQUORS BY ALL LICENSEES OF THE SAME
7 CLASS WITHIN THE COUNTY FROM THE BOARD OF LICENSE COMMISSIONERS IN THE
8 YEAR ENDING APRIL 1, 1999, DIVIDED BY THE TOTAL NUMBER OF SUCH LICENSEES;
9 AND

10 II. AS OF MAY 1, 2001, THE TOTAL DOLLAR AMOUNT OF
11 WHOLESALE PURCHASES OF SPIRITUOUS LIQUORS BY ALL LICENSEES OF THE SAME
12 CLASS WITHIN THE COUNTY FROM WHOLESALE DEALERS IN THE PRECEDING
13 CALENDAR YEAR, DIVIDED BY THE TOTAL NUMBER OF SUCH LICENSEES.

14 D. AS OF MAY 1, 2002, THE ADDITIONAL FEE SHALL BE
15 REDUCED BY 20% EACH YEAR.

16 (III) FOR PURPOSES OF DETERMINING THE AMOUNT OF
17 WHOLESALE PURCHASES DESCRIBED IN PARAGRAPH (2)(I)2B AND C OF THIS
18 SUBSECTION, EACH WHOLESALE DEALER IN SPIRITUOUS LIQUORS SHALL REPORT
19 TO THE BOARD OF LICENSE COMMISSIONERS BY MARCH 1 OF EACH YEAR THE
20 TOTAL DOLLAR AMOUNT OF SPIRITUOUS LIQUORS THE DEALER SOLD DURING THE
21 PRECEDING CALENDAR YEAR TO EACH LICENSEE.

22 (vi) All licensees shall purchase all wines and liquors, except light wine
23 and beer, from the Liquor Control Board for Worcester County. They shall be charged 85
24 percent of the retail price or any special sale price or discount price, whichever is lower,
25 set by the Board for wines and liquors. However, the price the Board charges to the
26 licensees may not be lower than 10 percent above the cost the Liquor Board must pay for
27 the merchandise to wholesalers. All licensees may purchase beer and light wine from
28 licensed wholesalers.]

29 9-102.

30 (j) (7) SUBSECTION (A) OF THIS SECTION, WHICH LIMITS A PERSON TO A
31 MAXIMUM OF ONLY ONE LICENSE, APPLIES TO CLASS A BEER, WINE AND LIQUOR
32 LICENSES.

33 15-201.

34 (d) In computing the time at which appointments to the several boards normally
35 expire, and when new terms of office begin, the following dates shall be used:

36 [(5) Worcester County -- June 1, 1975. Initial appointments shall be two,
37 three and four years. Their successors shall be appointed to regular four-year terms.]

38 (e) (2) Members of the boards in the following counties shall serve for terms as
39 specified:

40 [(iv) Worcester County 4 years]

14

1 (h) Members of the several boards shall receive compensation as follows:

2 [(7) Worcester County--The Worcester County Liquor Control Board shall
3 receive the salary set by the Worcester County Commissioners, but which may not be less
4 than \$2,500, and a mileage fee when attending meetings of the Board.]

5 (i) (2) In [Worcester County they shall meet at least once each week; in]
6 Somerset County they shall meet at least twice each month.

7 15-202.

8 (b) (2) The aggregate sum advanced to or borrowed by the liquor control board
9 may not exceed the following amounts:

10 [(iv) Worcester County - \$500,000].

11 (c) (1) The interest rate limitation provided in paragraph (2) of this subsection
12 does not apply in the following jurisdictions:

13 (i) Harford County; AND

14 (ii) Somerset County[; and

15 (iii) Worcester County].

16 [(3) In Worcester County, any borrowed funds expended for the use of
17 supplies or equipment are to be amortized over a term of five years.]

18 15-203.

19 (a) (3) In [the following counties] SOMERSET COUNTY they may sell any
20 alcoholic beverages except beer[:

21 (i) Somerset; and

22 (ii) Worcester].

23 [(f) In Worcester County the County liquor dispensaries may be established and
24 maintained only at Pocomoke City, Snow Hill, Berlin and Ocean City, and in any rural
25 areas that may be approved by the Liquor Control Board and the County Commissioners
26 of Worcester County.]

27 15-205.

28 [(l) In Worcester County, in addition to the other powers listed in this section, the
29 Board shall pay the salary, not to exceed \$3,500 annually, of an officer to enforce the laws
30 relating to alcoholic beverages in the County. The officer shall be appointed by the
31 County Commissioners subject to the approval by State's Attorney of the County.]

32 15-207.

33 [(h) (1) This subsection applies only in Worcester County.

34 (2) All net profits arising from the operation of these dispensaries are first
35 applied towards the payment of any and all sums advanced to or borrowed by the Liquor
36 Control Board. After these sums are paid, the Board is authorized to create and maintain

15

1 a reserve fund not to exceed \$300,000 on June 1, 1995. The reserve fund is maintained to
2 provide adequate working capital and to meet any losses that may be sustained by the
3 Board in the operation of these dispensaries.

4 (3) Fifty percent of all net profits in excess of the reserve fund shall be paid
5 to the County Commissioners of Worcester County on or before June 1 each year. The
6 remaining 50 percent shall be paid on or before June 1 each year to the mayors and city
7 councils of Berlin, Ocean City, Pocomoke City, and Snow Hill in proportion to the net
8 profits on total sales of the dispensaries situated in each of these municipalities. For
9 purposes of calculating the municipalities' share and if the County Commissioners
10 consent to it for each municipality, a radius of 2 miles outside of the municipal boundaries
11 shall be considered as being within the corporate limits. In the rural areas outside of the
12 2-mile radius of those municipalities, the net profits shall go to the general funds of
13 Worcester County.

14 (4) The amounts paid to the mayors and city councils of Berlin, Ocean City,
15 Pocomoke City, and Snow Hill shall be used for general municipal purposes.]

16 15-210.

17 This subtitle [shall apply to] APPLIES ONLY IN Garrett, Harford, KENT,
18 Montgomery, [Kent,] Somerset, AND Wicomico [and Worcester] Counties.

19 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
20 read as follows:

21 **Article 2B - Alcoholic Beverages**

22 15-201.

23 (L) (6) UPON PASSAGE OF THE REFERENDUM IN NOVEMBER 1998, THE
24 LIQUOR CONTROL BOARD SHALL DEVELOP A WRITTEN PLAN BY MARCH 1, 1999, FOR
25 THE DISPOSAL OF ITS ASSETS, AND SUBMIT THE PLAN TO THE COUNTY
26 COMMISSIONERS BY THAT DATE. THE PLAN SHALL SHOW BOTH THE CESSATION OF
27 ALCOHOLIC BEVERAGES SALES AND THE COMPLETE CESSATION OF ACTIVITIES BY
28 THE BOARD AS OF JUNE 30, 1999, WITH ALL ASSETS DISPOSED OF BY THAT DATE. THE
29 BOARD SHALL IMPLEMENT THE PLAN AND THE PROCEEDS SHALL ACCRUE TO THE
30 GENERAL FUNDS OF THE COUNTY.

31 SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland
32 read as follows:

33 **Article 2B - Alcoholic Beverages**

34 15-201.

35 (L) (7) FOR RETIRED EMPLOYEES OF THE BOARD, THE COUNTY OFFICE OF
36 PERSONNEL SHALL ABSORB AND ASSUME RESPONSIBILITY FOR THE HEALTH
37 ACCOUNTS AND ANY OTHER PERSONNEL-RELATED FUNCTIONS WHICH CONTINUE
38 AFTER THE CESSATION OF ACTIVITIES OF THE BOARD.

16

1 (8) THE COUNTY SHALL GIVE PREFERENTIAL CONSIDERATION IN THE
2 HIRING OF EMPLOYEES OF THE LIQUOR CONTROL BOARD WHOSE EMPLOYMENT
3 WITH THE BOARD WAS TERMINATED BY OPERATION OF LAW.

4 SECTION 5. ~~AND BE IT FURTHER ENACTED, That the Laws of Maryland~~
5 ~~read as follows:~~

6 ~~Article 2B—Alcoholic Beverages~~

7 ~~6-101.~~

8 ~~(y) (6) CLASS A BEER, WINE AND LIQUOR LICENSEES MAY NOT OPEN FOR~~
9 ~~BUSINESS UNTIL MAY 1, 1999.~~

10 ~~(7) ON OR BEFORE MAY 1, 1999, THE CLASS A BEER, WINE AND LIQUOR~~
11 ~~LICENSEES SHALL PAY THE LICENSE FEES FOR THE FIRST YEAR OF OPERATION OF~~
12 ~~THE CLASS A BEER, WINE AND LIQUOR LICENSES. THOSE FEES FOR THAT ONE YEAR~~
13 ~~ONLY ARE AS FOLLOWS:~~

14 ~~(i) A BASIC LICENSE FEE OF \$5,000; AND~~

15 ~~(ii) ADDITIONAL LICENSE FEES IN EACH TAX DISTRICT:~~

16 ~~1. TAX DISTRICT 1 (POCOMOKE CITY): \$30,000;~~

17 ~~2. TAX DISTRICT 2 (SNOW HILL): \$21,000;~~

18 ~~3. TAX DISTRICT 3 (BERLIN): \$30,000;~~

19 ~~4. TAX DISTRICT 3A (OCEAN PINES), AS DEFINED IN~~
20 ~~PARAGRAPH (5) OF THIS SUBSECTION: \$30,000;~~

21 ~~5. TAX DISTRICT 10 (OCEAN CITY): \$35,000; AND~~

22 ~~6. AT LARGE: \$35,000.~~

23 SECTION 6. ~~5.~~ AND BE IT FURTHER ENACTED, That before Sections 2, 3, 4,
24 ~~and 5 and 4~~ of this Act become effective they shall first be submitted to a referendum of
25 the legally qualified voters of Worcester County at the general election to be held in
26 November of 1998. The cost of the special election, if any, shall be paid by the County
27 Commissioners. The County Commissioners and the Worcester County Board of
28 Supervisors of Elections shall do those things necessary and proper to provide for and
29 hold the referendum required by this section. If a majority of the votes cast on the
30 question are "For the referred law" the provisions of Section 2 of this Act shall become
31 effective on May 1, 1999, and the provisions of Sections 3, ~~4, and 5 and 4~~ of this Act shall
32 become effective on January 1, 1999; but if a majority of the votes cast on the question are
33 "Against the referred law" the provisions of Sections 2, 3, ~~4, and 5 and 4~~ of this Act are
34 of no effect and null and void.

35 SECTION 7. ~~6.~~ AND BE IT FURTHER ENACTED, That, should Sections 2, 3, 4,
36 ~~and 5 and 4~~ of this Act be approved by the qualified voters of Worcester County at the
37 referendum for which provision is made by Section ~~6~~ 5 of this Act, the provisions of
38 Section 3 of this Act shall become operable and in full force and effect on January 1,

17

1 1999, and shall remain in effect until July 1, 1999, after which the provisions shall be null
2 and void without the necessity of further action by the General Assembly.

3 ~~SECTION 8. AND BE IT FURTHER ENACTED, That, should Sections 2, 3, 4,~~
4 ~~and 5 of this Act be approved by the qualified voters of Worcester County at the~~
5 ~~referendum for which provision is made by Section 6 of this Act, the provisions of Section~~
6 ~~5 of this Act shall become operable and in full force and effect on January 1, 1999, and~~
7 ~~shall remain in effect until April 30, 2000, after which the provisions shall be null and void~~
8 ~~without the necessity of further action by the General Assembly.~~

9 SECTION 9: 7. AND BE IT FURTHER ENACTED, That, subject to the
10 provisions of Section 6 5 of this Act and for the sole purpose of providing for the
11 referendum required by Section 6 5, this Act shall take effect October 1, 1997.