

SENATE BILL 34

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L2

2003 Regular Session
(31r1067)

ENROLLED BILL

-- Education, Health, and Environmental Affairs/Environmental Matters --

Introduced by **Senator Stoltzfus**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER 208

1 AN ACT concerning

2 **Somerset County - Ferry ~~Companies - Franchises~~ Company - Franchise**

3 FOR the purpose of authorizing the County Commissioners of Somerset County to
4 grant ~~one or more franchises~~ a franchise for a ferry company to operate ~~from~~
5 between Somerset County and Reedville, Virginia on a ~~nonexclusive~~ an
6 exclusive basis; requiring the County Commissioners of Somerset County to
7 review a certain proposed business and financial plan at a certain time;
8 authorizing the County Commissioners of Somerset County to adopt certain
9 regulations that are consistent with certain regulations adopted by the Public
10 Service Commission; providing that a ferry company granted a franchise under
11 this Act has a certain period of time in which to exercise the franchise, after
12 which the franchise is null and void; prohibiting a ferry company granted a
13 franchise under this Act from conducting ~~certain~~ any gambling or gaming
14 activities on any ferry that it operates under the franchise; providing that the
15 granting of a franchise under this Act may not be construed to prohibit or
16 restrict the operation of certain passenger ferry service between certain
17 locations; and generally relating to a public transportation ~~franchises~~ franchise

1 in Somerset County.

2 BY adding to

3 Article 25 - County Commissioners

4 Section 3D(a)(3)

5 Annotated Code of Maryland

6 (2001 Replacement Volume and 2002 Supplement)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

8 MARYLAND, That the Laws of Maryland read as follows:

9

Article 25 - County Commissioners

10 3D.

11 (a) (3) (I) NOTWITHSTANDING ANY ANTICOMPETITIVE EFFECT, THE
 12 COUNTY COMMISSIONERS OF SOMERSET COUNTY MAY GRANT ~~ONE OR MORE~~
 13 ~~FRANCHISES~~ A FRANCHISE FOR A FERRY COMPANY TO OPERATE ~~FROM BETWEEN~~
 14 SOMERSET COUNTY AND REEDVILLE, VIRGINIA ON ~~A NONEXCLUSIVE~~ AN EXCLUSIVE
 15 BASIS.

16 (II) BEFORE GRANTING A FRANCHISE ~~FOR~~ TO A FERRY COMPANY,
 17 THE COUNTY COMMISSIONERS OF SOMERSET COUNTY SHALL REVIEW THE
 18 PROPOSED BUSINESS AND FINANCIAL PLAN ~~FOR~~ OF THE FERRY COMPANY.

19 (III) 1. THE COUNTY COMMISSIONERS OF SOMERSET COUNTY
 20 MAY ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS PARAGRAPH.

21 2. REGULATIONS ADOPTED UNDER THIS SUBPARAGRAPH
 22 SHALL BE CONSISTENT WITH ANY REGULATIONS ADOPTED BY THE PUBLIC SERVICE
 23 COMMISSION THAT RELATE TO FERRY COMPANIES.

24 (IV) 1. A FERRY COMPANY THAT IS GRANTED A FRANCHISE
 25 UNDER THIS PARAGRAPH HAS UP TO 18 MONTHS TO EXERCISE THE FRANCHISE.

26 2. IF THE FERRY COMPANY HAS NOT EXERCISED THE
 27 FRANCHISE AFTER 18 MONTHS FROM THE DATE IT WAS GRANTED, THE FRANCHISE
 28 SHALL BE NULL AND VOID.

29 (V) (V) A FERRY COMPANY THAT IS GRANTED A FRANCHISE
 30 UNDER THIS PARAGRAPH MAY NOT CONDUCT ANY GAMBLING OR GAMING
 31 ACTIVITIES ~~PROHIBITED UNDER THE CRIMINAL LAW ARTICLE~~ ON ANY FERRY THAT
 32 IT OPERATES UNDER THE FRANCHISE.

33 ~~SECTION 2. AND BE IT FURTHER ENACTED, That the granting of a~~
 34 ~~franchise under this Act may not be construed to prohibit or restrict the operation of~~
 35 ~~any passenger ferry service between Crisfield and Smith Island or between Crisfield~~
 36 ~~and Tangier Island that is in existence on the effective date of this Act.~~

1 SECTION ~~2. 3.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take
2 effect ~~October~~ July 1, 2003.