

HOUSE BILL 1135

A2

6lr1073

By: **Prince George's County Delegation**

Introduced and read first time: February 11, 2016

Assigned to: Economic Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2016

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – Board of License Commissioners – Budget and**
3 **Funding**

4 **PG 308–16**

5 FOR the purpose of ~~altering procedures for the approval of the annual budget for the Board~~
6 ~~of License Commissioners of Prince George's County; providing that the budget is~~
7 ~~not subject to the approval of the County Council or County Executive of Prince~~
8 ~~George's County if the budget does not exceed the amount of certain estimated~~
9 ~~revenues; providing for the manner in which certain revenue is estimated~~ requiring
10 the County Executive and County Council of Prince George's County to recognize
11 and categorize the Board of License Commissioners of Prince George's County as a
12 public safety agency for budgetary purposes; authorizing the ~~Board~~ County Council
13 to include in the budget a certain maximum amount for certain purposes; requiring
14 the County Executive and County Council to establish a certain fund for a certain
15 purpose; prohibiting the use of the fund in a certain manner; requiring the County
16 Executive and County Council to distribute a certain amount to the fund; requiring
17 the Board to use the money in the fund, on or before a certain date, for certain
18 purposes; making conforming changes; providing for the termination of certain
19 provisions of this Act; and generally relating to the budget and funding for the Board
20 of License Commissioners of Prince George's County.

21 BY repealing and reenacting, with amendments,

22 Article 2B – Alcoholic Beverages

23 Section 10–204(r) and 15–109(r)(6)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland
 2 (2011 Replacement Volume and 2015 Supplement)

3 BY repealing and reenacting, with amendments,

4 Article – Alcoholic Beverages

5 Section 26–205(e) and 26–207

6 Annotated Code of Maryland

7 (As enacted by Chapter ____ ~~(S.B. _____)(61-1406)~~ (S.B. 724) of the Acts of the
 8 General Assembly of 2016)

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND.

10 That the Laws of Maryland read as follows:

11 Article 2B – Alcoholic Beverages

12 10–204.

13 (r) In Prince George’s County, the Prince George’s County Director of Finance
 14 shall collect fees for the County Executive and County Council, which shall use a portion of
 15 the receipts to pay the salaries and expenses of the Board of License Commissioners AS
 16 PROVIDED IN § 15–109(R)(6) OF THIS ARTICLE.

17 15–109.

18 (r) (6) (i) The County Council shall pay for all expenses of the Board of
 19 License Commissioners upon the submission of an annual budget.

20 (ii) [In] SUBJECT TO SUBPARAGRAPH (III) OF THIS
 21 PARAGRAPH, IN that budget, the salary of the members of the Board, the salary of the
 22 attorney for the Board, and any additional compensation for legal fees for the attorney for
 23 the Board, shall be approved as hereinbefore set forth.

24 (iii) 1. Except as provided in subparagraph (iv) of this paragraph,
 25 all other expenses, including, but not restricted to, the salary of the administrator as
 26 limited herein, compensation of other personnel, who shall be qualified and employed under
 27 the county merit system, printing, supplies, and office space, shall be at the discretion of
 28 the County Council.

29 2. THE COUNTY EXECUTIVE AND THE COUNTY
 30 COUNCIL SHALL RECOGNIZE AND CATEGORIZE THE BOARD AS A PUBLIC SAFETY
 31 AGENCY FOR BUDGETARY PURPOSES.

32 3. THE COUNTY COUNCIL MAY INCLUDE IN THE BUDGET
 33 AN AMOUNT NOT TO EXCEED \$50,000 FOR THE PURPOSE OF MAINTAINING
 34 SOFTWARE AND MOBILE DEVICES USED TO MODERNIZE PRACTICES AND INCREASE
 35 THE EFFICIENCY AND TRANSPARENCY OF THE BOARD.

~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,~~

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

Article – Alcoholic Beverages

26–205.

(e) (1) Subject to paragraph (3) of this subsection, on the submission by the Board of an annual budget, the County Council shall pay for all expenses of the Board.

(2) In the budget, the salaries of the members and the attorney for the Board and any additional compensation for legal fees for the attorney shall be [approved] as set forth under subsection (c) of this section and [~~§ 26–204~~] ~~§§ 26–204 AND 26–206(G)~~ of this subtitle.

(3) (I) ~~¶~~Except as provided in § 26–206(g) of this subtitle, payments for all other expenses shall be at the discretion of the County Council, including:

~~(i)~~ 1. the salary of the administrator under subsection (b)(3) of this section;

~~(ii)~~ 2. compensation of other personnel, who shall be qualified and employed under the County merit system;

~~(iii)~~ 3. printing;

~~(iv)~~ 4. supplies; and

~~(v)~~ 5. office space] ~~THE BUDGET IS NOT SUBJECT TO APPROVAL BY THE COUNTY EXECUTIVE OR COUNTY COUNCIL IF THE BUDGET DOES NOT EXCEED THE AMOUNT OF THE ESTIMATED REVENUES OF THE BOARD FOR THE PREVIOUS FISCAL YEAR.~~

(II) THE COUNTY EXECUTIVE AND THE COUNTY COUNCIL SHALL RECOGNIZE AND CATEGORIZE THE BOARD AS A PUBLIC SAFETY AGENCY FOR BUDGETARY PURPOSES.

~~(H) FOR THE PURPOSE OF CALCULATING THE ESTIMATED REVENUES FOR THE PREVIOUS FISCAL YEAR UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE BOARD SHALL ESTIMATE REVENUES BASED ON ACTUAL REVENUES RECEIVED AT THE TIME OF THE ESTIMATION AND REVENUES RECEIVED FOR THE PREVIOUS 2 FISCAL YEARS.~~

1 (III) ~~SUBJECT TO THE LIMIT ON THE BUDGET UNDER~~
 2 ~~SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE BOARD~~ **THE COUNTY COUNCIL MAY**
 3 **INCLUDE IN THE BUDGET AN AMOUNT NOT TO EXCEED \$50,000 FOR THE PURPOSE**
 4 **OF MAINTAINING SOFTWARE AND MOBILE DEVICES USED TO MODERNIZE PRACTICES**
 5 **AND INCREASE THE EFFICIENCY AND TRANSPARENCY OF THE BOARD.**

6 26–207.

7 (a) The Director of Finance shall collect fees for the County Executive and County
 8 Council.

9 (b) The County Executive and County Council shall:

10 (1) use the fees collected to pay:

11 (i) refunds issued in accordance with § 26–1410 of this title; and

12 (ii) the salaries and expenses of the Board **AS PROVIDED IN §**
 13 **26–205 OF THIS SUBTITLE;** and

14 (2) credit the balance of the fees collected to the general fund of the County.

15 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That:

16 (a) The County Executive and County Council of Prince George’s County shall
 17 establish an Alcoholic Beverages Capital Investment and Modernization Fund as a special
 18 fund to be used by the Board of License Commissioners of Prince George’s County to
 19 purchase equipment and software for the Board to modernize practices and increase the
 20 efficiency and transparency of the Board.

21 (b) The Alcoholic Beverages Capital Investment and Modernization Fund may
 22 not be used to employ additional staff or to raise salaries for current staff.

23 (c) Notwithstanding § 26–207 of the Alcoholic Beverages Article, as enacted by
 24 this Act, beginning July 1, 2016, the County Executive and County Council of Prince
 25 George’s County shall distribute \$300,000 of revenue collected for license fees under the
 26 Alcoholic Beverages Article to the Alcoholic Beverages Capital Investment and
 27 Modernization Fund.

28 (d) On or before December 31, 2016, the Board of License Commissioners of Prince
 29 George’s County shall use the money in the Alcoholic Beverages Capital Investment and
 30 Modernization Fund to:

31 (1) purchase mobile devices to be used by the enforcement staff to
 32 maximize efficiency; and

1 (2) purchase software and devices to integrate new data with existing data
2 of the Board of License Commissioners of Prince George's County and its staff.

3 SECTION ~~3~~ 4. AND BE IT FURTHER ENACTED, That ~~this Act shall take effect~~
4 ~~June 1, 2016. Section 2 of this Act shall remain effective for a period of 7 months and, at~~
5 ~~the end of December 31, 2016, with no further action required by the General Assembly,~~
6 ~~Section 2 of this Act shall be abrogated and of no further force and effect~~ Section 2 of this
7 Act shall take effect on the taking effect of Chapter (S.B. 724) of the Acts of the General
8 Assembly of 2016. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated
9 and of no further force and effect.

10 SECTION 5. AND BE IT FURTHER ENACTED, That, except as provided in Section
11 4 of this Act, this Act shall take effect June 1, 2016. Section 3 of this Act shall remain
12 effective for a period of 7 months and, at the end of December 31, 2016, with no further
13 action required by the General Assembly, Section 3 of this Act shall be abrogated and of no
14 further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.