

SENATE BILL 1159

A2

EMERGENCY BILL

6lr3845

By: ~~Senators Conway and Nathan Pulliam~~, Nathan Pulliam, Ferguson, Gladden, McFadden, and Pugh

Introduced and read first time: March 7, 2016

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2016

CHAPTER _____

1 AN ACT concerning

2 **Baltimore City Board of License Commissioners – Members – Terms and**
3 **Appointment**

4 FOR the purpose of requiring the Governor, when evaluating an applicant for membership
5 on the Board of License Commissioners for Baltimore City, to consider the need for
6 certain types of diversity on the Board; requiring the Governor to make an
7 appointment to fill a vacancy on the Board within a certain number of days after the
8 vacancy occurs; repealing the requirement that the Governor appoint all of the
9 members of the Board of License Commissioners for Baltimore City; requiring the
10 Mayor of Baltimore City and the President of the City Council of Baltimore City to
11 appoint all of the members of the Board in a certain manner; repealing the
12 requirement that the Governor appoint members of the Board alone under certain
13 circumstances; requiring the Mayor and the President of the City Council to appoint
14 the members of the Board alone under certain circumstances; requiring the Mayor
15 and the President of the City Council to make an appointment to fill a vacancy on
16 the Board within a certain number of days after the vacancy occurs; repealing the
17 requirement that the Governor designate a chair of the Board; requiring the Board
18 to designate a chair from among the regular members of the Board; repealing the
19 authority of the Governor to remove a member of the Board under certain
20 circumstances and in accordance with certain requirements; authorizing the Mayor
21 and the President of the City Council to remove a member of the Board under certain
22 circumstances and in accordance with certain requirements; making certain
23 provisions of this Act effective on a certain date subject to a certain contingency;
24 making this Act an emergency measure; providing for the termination of certain

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 provisions of this Act; and generally relating to the Board of License Commissioners
2 for Baltimore City.

3 ~~BY repealing and reenacting, without amendments,~~
4 ~~Article 2B – Alcoholic Beverages~~
5 ~~Section 15–101(a)(4)~~
6 ~~Annotated Code of Maryland~~
7 ~~(2011 Replacement Volume and 2015 Supplement)~~

8 BY repealing and reenacting, with amendments,
9 Article 2B – Alcoholic Beverages
10 Section ~~15–101(d)~~ 15–101(a) and (d) and 15–110
11 Annotated Code of Maryland
12 (2011 Replacement Volume and 2015 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article 2B – Alcoholic Beverages
15 Section 15–101(d)
16 Annotated Code of Maryland
17 (As enacted by Section 1 of this Act)

18 BY repealing and reenacting, without amendments,
19 Article – Alcoholic Beverages
20 Section 12–102
21 Annotated Code of Maryland
22 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

23 BY repealing and reenacting, with amendments,
24 Article – Alcoholic Beverages
25 Section 12–202 and 12–203
26 Annotated Code of Maryland
27 (As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

30 **Article 2B – Alcoholic Beverages**

31 15–101.

32 (a) (4) In the case of any vacancies in the number of the license commissioners
33 in Baltimore City or in any county which occur when the legislature is not in session, the
34 Governor shall appoint some eligible person to fill the vacancy during the remainder of the
35 term of office of the person originally appointed.

36 (d) (1) This subsection applies in Baltimore City.

1 (2) (i) The Board of Liquor License Commissioners consists of three
2 regular members and one alternate member.

3 (ii) The Governor shall appoint all of the members of the Board.

4 (iii) The appointments shall be made:

5 1. If the Senate is in session, with the advice and consent of
6 the Senate; or

7 2. If the Senate is not in session, by the Governor alone.

8 (iv) The alternate member may serve on the Board if any permanent
9 member of the Board is absent or recused.

10 (v) Each appointee shall be a resident and voter of Baltimore City
11 and be an individual of high character and integrity and of recognized business capacity.

12 (vi) At least one appointee shall be a member of the Bar of the Court
13 of Appeals of Maryland.

14 **(VII) WHEN EVALUATING AN APPLICANT FOR MEMBERSHIP ON**
15 **THE BOARD, THE GOVERNOR SHALL CONSIDER THE NEED FOR GEOGRAPHIC,**
16 **POLITICAL, RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY ON THE BOARD.**

17 (3) (i) The term of a member of the Board is 2 years and begins on July
18 1.

19 (ii) The terms of the members are staggered as required by the terms
20 provided for members of the Board on July 1, 2014.

21 (iii) At the end of a term, a member continues to serve until a
22 successor is appointed.

23 (iv) A member who is appointed after a term has begun serves only
24 for the rest of the term and until a successor is appointed.

25 **(V) 1. THE GOVERNOR SHALL APPOINT AN ELIGIBLE**
26 **PERSON TO FILL A VACANCY THAT OCCURS DURING THE TERM OF OFFICE OF THE**
27 **PERSON ORIGINALLY APPOINTED IN ACCORDANCE WITH PARAGRAPH (2) OF THIS**
28 **SUBSECTION.**

29 **2. THE GOVERNOR SHALL MAKE THE APPOINTMENT**
30 **WITHIN ~~30~~ 15 DAYS AFTER THE VACANCY OCCURS.**

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

3 **Article 2B – Alcoholic Beverages**

4 15–101.

5 (a) (1) For the jurisdictions in which this section is effective, the Governor,
6 biennially, by and with the advice and consent of the Senate, if in session, and if not in
7 session, then the Governor alone, shall appoint three persons who shall constitute and be
8 styled “The Board of License Commissioners for [Baltimore City or] County”, as
9 the case may be.

10 (2) In making the appointments, the Governor shall designate one of the
11 appointees in [Baltimore City and] each of the counties to be the chairman of the respective
12 boards.

13 (3) The commissioners shall be residents and voters of Baltimore City or
14 the respective counties, as the case may be, and they shall be persons of high character and
15 integrity and of recognized business capacity.

16 (4) In the case of any vacancies in the number of the license commissioners
17 in [Baltimore City or in] any county which occur when the legislature is not in session, the
18 Governor shall appoint some eligible person to fill the vacancy during the remainder of the
19 term of office of the person originally appointed.

20 (d) (1) This subsection applies in Baltimore City.

21 (2) (i) The Board of Liquor License Commissioners consists of three
22 regular members and one alternate member.

23 (ii) The [Governor] **MAYOR SHALL APPOINT TWO REGULAR**
24 **MEMBERS TO THE BOARD AND THE PRESIDENT OF THE CITY COUNCIL** shall appoint
25 [all of the members of the Board] **ONE REGULAR MEMBER AND ONE ALTERNATE**
26 **MEMBER TO THE BOARD.**

27 (iii) The appointments shall be made:

28 1. If the Senate is in session, with the advice and consent of
29 the Senate; or

30 2. If the Senate is not in session, by the [Governor] **MAYOR**
31 **AND THE PRESIDENT OF THE CITY COUNCIL** alone.

32 (iv) The alternate member may serve on the Board if any permanent
33 member of the Board is absent or recused.

1 (v) Each appointee shall be a resident and voter of Baltimore City
2 and be an individual of high character and integrity and of recognized business capacity.

3 (vi) At least one appointee shall be a member of the Bar of the Court
4 of Appeals of Maryland.

5 **(VII) WHEN EVALUATING AN APPLICANT FOR MEMBERSHIP ON**
6 **THE BOARD, THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL SHALL**
7 **CONSIDER THE NEED FOR GEOGRAPHIC, POLITICAL, RACIAL, ETHNIC, CULTURAL,**
8 **AND GENDER DIVERSITY ON THE BOARD.**

9 (3) (i) The term of a member of the Board is 2 years and begins on July
10 1.

11 (ii) The terms of the members are staggered as required by the terms
12 provided for members of the Board on July 1, 2014.

13 (iii) At the end of a term, a member continues to serve until a
14 successor is appointed.

15 (iv) A member who is appointed after a term has begun serves only
16 for the rest of the term and until a successor is appointed.

17 **(V) 1. TO FILL A VACANCY THAT OCCURS DURING THE TERM**
18 **OF OFFICE, AN ELIGIBLE INDIVIDUAL SHALL BE APPOINTED BY:**

19 **A. THE MAYOR, IF THE VACANCY OCCURS DURING THE**
20 **TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE MAYOR; OR**

21 **B. THE PRESIDENT OF THE CITY COUNCIL, IF THE**
22 **VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY**
23 **APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL.**

24 **2. AN APPOINTMENT UNDER SUBSUBPARAGRAPH 1 OF**
25 **THIS SUBPARAGRAPH SHALL BE MADE WITHIN 15 DAYS AFTER THE VACANCY**
26 **OCCURS.**

27 **(4) THE BOARD SHALL DESIGNATE A CHAIR FROM AMONG THE**
28 **REGULAR MEMBERS OF THE BOARD.**

29 15-110.

30 (a) **[The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE**
31 **Governor may remove any member of any board of license commissioners appointed by him**
32 **under the provisions of this article, for misconduct in office, incompetency or willful neglect**

1 of duty, giving him a copy of the charges against him and an opportunity of being publicly
2 heard in person, or by counsel, in his own defense, upon not less than ten days' notice. If
3 any member shall be removed, the Governor shall file in the office of the Secretary of State,
4 a statement of the charges made against such member and his findings thereon.

5 (b) The board of county commissioners may remove any member of any board of
6 license commissioners appointed by them, for the causes in this section prescribed. In
7 Montgomery County, the County Executive may, with the approval of the County Council,
8 remove any member of the Board of License Commissioners for the causes in this section
9 prescribed.

10 (c) (1) **THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY.**

11 (2) **IN THIS SUBSECTION, "APPOINTING OFFICER" MEANS THE**
12 **MAYOR OR THE PRESIDENT OF THE CITY COUNCIL.**

13 (3) **THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL MAY**
14 **REMOVE A MEMBER FOR MISCONDUCT IN OFFICE, INCOMPETENCE, OR WILLFUL**
15 **NEGLECT OF DUTY.**

16 (4) **A MEMBER WHO IS CHARGED SHALL BE GIVEN BY THE**
17 **APPOINTING OFFICER WHO APPOINTED THE MEMBER A COPY OF THE CHARGES**
18 **AGAINST THE MEMBER AND, WITH AT LEAST 10 DAYS' NOTICE, AN OPPORTUNITY TO**
19 **BE HEARD PUBLICLY IN PERSON OR BY COUNSEL.**

20 (5) **IF A MEMBER IS REMOVED, THE APPOINTING OFFICER WHO**
21 **REMOVED THE MEMBER SHALL FILE WITH THE OFFICE OF THE SECRETARY OF**
22 **STATE A STATEMENT OF CHARGES AGAINST THE MEMBER AND THE GOVERNOR'S**
23 **FINDINGS MADE ON THE CHARGES.**

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

26 **Article 2B – Alcoholic Beverages**

27 15–101.

28 (a) (1) For the jurisdictions in which this section is effective, the Governor,
29 biennially, by and with the advice and consent of the Senate, if in session, and if not in
30 session, then the Governor alone, shall appoint three persons who shall constitute and be
31 styled "The Board of License Commissioners for [Baltimore City or] County", as
32 the case may be.

33 (2) In making the appointments, the Governor shall designate one of the
34 appointees in [Baltimore City and] each of the counties to be the chairman of the respective
35 boards.

1 (3) The commissioners shall be residents and voters of Baltimore City or
2 the respective counties, as the case may be, and they shall be persons of high character and
3 integrity and of recognized business capacity.

4 (4) In the case of any vacancies in the number of the license commissioners
5 in [Baltimore City or in] any county which occur when the legislature is not in session, the
6 Governor shall appoint some eligible person to fill the vacancy during the remainder of the
7 term of office of the person originally appointed.

8 (d) (1) This subsection applies in Baltimore City.

9 (2) (i) The Board of Liquor License Commissioners consists of three
10 regular members and one alternate member.

11 (ii) The [Governor] **MAYOR SHALL APPOINT TWO REGULAR**
12 **MEMBERS TO THE BOARD AND THE PRESIDENT OF THE CITY COUNCIL** shall appoint
13 [all of the members of the Board] **ONE REGULAR MEMBER AND ONE ALTERNATE**
14 **MEMBER TO THE BOARD.**

15 (iii) The appointments shall be made:

16 1. If the Senate is in session, with the advice and consent of
17 the Senate; or

18 2. If the Senate is not in session, by the [Governor] **MAYOR**
19 **AND THE PRESIDENT OF THE CITY COUNCIL** alone.

20 (iv) The alternate member may serve on the Board if any permanent
21 member of the Board is absent or recused.

22 (v) Each appointee shall be a resident and voter of Baltimore City
23 and be an individual of high character and integrity and of recognized business capacity.

24 (vi) At least one appointee shall be a member of the Bar of the Court
25 of Appeals of Maryland.

26 (vii) When evaluating an applicant for membership on the Board, the
27 [Governor] **MAYOR AND THE PRESIDENT OF THE CITY COUNCIL** shall consider the
28 need for geographic, political, racial, ethnic, cultural, and gender diversity on the Board.

29 (3) (i) The term of a member of the Board is 2 years and begins on July
30 1.

31 (ii) The terms of the members are staggered as required by the terms
32 provided for members of the Board on July 1, 2014.

1 (iii) At the end of a term, a member continues to serve until a
 2 successor is appointed.

3 (iv) A member who is appointed after a term has begun serves only
 4 for the rest of the term and until a successor is appointed.

5 [(v) 1. The Governor shall appoint an eligible person to fill a
 6 vacancy that occurs during the term of office of the person originally appointed in
 7 accordance with paragraph (2) of this subsection.

8 2. The Governor shall make the appointment within 15 days
 9 after the vacancy occurs.]

10 (v) 1. **TO FILL A VACANCY THAT OCCURS DURING THE TERM**
 11 **OF OFFICE, AN ELIGIBLE INDIVIDUAL SHALL BE APPOINTED BY:**

12 **A. THE MAYOR, IF THE VACANCY OCCURS DURING THE**
 13 **TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE MAYOR; OR**

14 **B. THE PRESIDENT OF THE CITY COUNCIL, IF THE**
 15 **VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY**
 16 **APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL.**

17 2. **AN APPOINTMENT UNDER SUBSUBPARAGRAPH 1 OF**
 18 **THIS SUBPARAGRAPH SHALL BE MADE WITHIN 15 DAYS AFTER THE VACANCY**
 19 **OCCURS.**

20 (4) **THE BOARD SHALL DESIGNATE A CHAIR FROM AMONG THE**
 21 **REGULAR MEMBERS OF THE BOARD.**

22 15-110.

23 (a) **[The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE**
 24 **Governor may remove any member of any board of license commissioners appointed by him**
 25 **under the provisions of this article, for misconduct in office, incompetency or willful neglect**
 26 **of duty, giving him a copy of the charges against him and an opportunity of being publicly**
 27 **heard in person, or by counsel, in his own defense, upon not less than ten days' notice. If**
 28 **any member shall be removed, the Governor shall file in the office of the Secretary of State,**
 29 **a statement of the charges made against such member and his findings thereon.**

30 (b) **The board of county commissioners may remove any member of any board of**
 31 **license commissioners appointed by them, for the causes in this section prescribed. In**
 32 **Montgomery County, the County Executive may, with the approval of the County Council,**
 33 **remove any member of the Board of License Commissioners for the causes in this section**
 34 **prescribed.**

1 **(C) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY.**

2 **(2) IN THIS SUBSECTION, "APPOINTING OFFICER" MEANS THE**
3 **MAYOR OR THE PRESIDENT OF THE CITY COUNCIL.**

4 **(3) THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL MAY**
5 **REMOVE A MEMBER FOR MISCONDUCT IN OFFICE, INCOMPETENCE, OR WILLFUL**
6 **NEGLECT OF DUTY.**

7 **(4) A MEMBER WHO IS CHARGED SHALL BE GIVEN BY THE**
8 **APPOINTING OFFICER WHO APPOINTED THE MEMBER A COPY OF THE CHARGES**
9 **AGAINST THE MEMBER AND, WITH AT LEAST 10 DAYS' NOTICE, AN OPPORTUNITY TO**
10 **BE HEARD PUBLICLY IN PERSON OR BY COUNSEL.**

11 **(5) IF A MEMBER IS REMOVED, THE APPOINTING OFFICER WHO**
12 **REMOVED THE MEMBER SHALL FILE WITH THE OFFICE OF THE SECRETARY OF**
13 **STATE A STATEMENT OF CHARGES AGAINST THE MEMBER AND THE GOVERNOR'S**
14 **FINDINGS MADE ON THE CHARGES.**

15 **SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read**
16 **as follows:**

17 **Article – Alcoholic Beverages**

18 12-102.

19 This title applies only in Baltimore City.

20 12-202.

21 (a) (1) The Governor shall appoint three regular members and one substitute
22 member to the Board.

23 (2) The appointments shall be made:

24 (i) if the Senate is in session, with the advice and consent of the
25 Senate; or

26 (ii) if the Senate is not in session, by the Governor alone.

27 (b) (1) Each member of the Board shall be:

28 (i) a resident and voter of the City; and

1 (ii) an individual of high character and integrity and of recognized
2 business capacity.

3 (2) At least one member of the Board shall be a member of the Bar of the
4 Court of Appeals of Maryland.

5 **(3) WHEN EVALUATING AN APPLICANT FOR MEMBERSHIP ON THE**
6 **BOARD, THE GOVERNOR SHALL CONSIDER THE NEED FOR GEOGRAPHIC,**
7 **POLITICAL, RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY ON THE BOARD.**

8 (c) The substitute member may serve on the Board if a regular member is absent
9 or recused.

10 (d) (1) The term of a member is 2 years and begins on July 1.

11 (2) The terms of the members are staggered as required by the terms
12 provided for members of the Board on July 1, 2016.

13 (3) At the end of a term, a member continues to serve until a successor is
14 appointed and qualifies.

15 (4) A member who is appointed after a term has begun serves only for the
16 rest of the term and until a successor is appointed and qualifies.

17 (e) (1) **(I)** The Governor shall appoint an eligible individual to fill a vacancy
18 that occurs during the term of office of the individual originally appointed in accordance
19 with subsection (a) of this section.

20 **(II) THE GOVERNOR SHALL MAKE THE APPOINTMENT WITHIN**
21 **~~30~~ 15 DAYS AFTER THE VACANCY OCCURS.**

22 (2) A member who is appointed after a term has begun serves only for the
23 rest of the term and until a successor is appointed and qualifies.

24 (f) (1) The Governor may remove a member for misconduct in office,
25 incompetence, or willful neglect of duty.

26 (2) The Governor shall give a member who is charged a copy of the charges
27 against the member and, with at least 10 days' notice, an opportunity to be heard publicly
28 in person or by counsel.

29 (3) If a member is removed, the Governor shall file with the Office of the
30 Secretary of State a statement of charges against the member and the Governor's findings
31 made on the charges.

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

3 Article – Alcoholic Beverages

4 12-102.

5 This title applies only in Baltimore City.

6 12-202.

7 (a) (1) The [Governor] MAYOR SHALL APPOINT TWO REGULAR MEMBERS
8 TO THE BOARD AND THE PRESIDENT OF THE CITY COUNCIL shall appoint [three] ONE
9 regular [members] MEMBER and one substitute member to the Board.

10 (2) The appointments shall be made:

11 (i) if the Senate is in session, with the advice and consent of the
12 Senate; or

13 (ii) if the Senate is not in session, by the [Governor] MAYOR OR
14 PRESIDENT OF THE CITY COUNCIL alone.

15 (b) (1) Each member of the Board shall be:

16 (i) a resident and voter of the City; and

17 (ii) an individual of high character and integrity and of recognized
18 business capacity.

19 (2) At least one member of the Board shall be a member of the Bar of the
20 Court of Appeals of Maryland.

21 (3) WHEN EVALUATING AN APPLICANT FOR MEMBERSHIP ON THE
22 BOARD, THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL SHALL CONSIDER
23 THE NEED FOR GEOGRAPHIC, POLITICAL, RACIAL, ETHNIC, CULTURAL, AND GENDER
24 DIVERSITY ON THE BOARD.

25 (c) The substitute member may serve on the Board if a regular member is absent
26 or recused.

27 (d) (1) The term of a member is 2 years and begins on July 1.

28 (2) The terms of the members are staggered as required by the terms
29 provided for members of the Board on July 1, 2016.

1 (3) At the end of a term, a member continues to serve until a successor is
2 appointed and qualifies.

3 (4) A member who is appointed after a term has begun serves only for the
4 rest of the term and until a successor is appointed and qualifies.

5 (e) (1) [The Governor shall appoint an eligible individual to fill a vacancy that
6 occurs during the term of office of the individual originally appointed in accordance with
7 subsection (a) of this section.] TO FILL A VACANCY THAT OCCURS DURING THE TERM
8 OF OFFICE, AN ELIGIBLE INDIVIDUAL SHALL BE APPOINTED BY:

9 (I) THE MAYOR, IF THE VACANCY OCCURS DURING THE TERM
10 OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE MAYOR; OR

11 (II) THE PRESIDENT OF THE CITY COUNCIL, IF THE VACANCY
12 OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED
13 BY THE PRESIDENT OF THE CITY COUNCIL.

14 (2) AN APPOINTMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION
15 SHALL BE MADE WITHIN 15 DAYS AFTER THE VACANCY OCCURS.

16 ~~(2)~~ (3) A member who is appointed after a term has begun serves only
17 for the rest of the term and until a successor is appointed and qualifies.

18 (f) (1) The [Governor] MAYOR OR PRESIDENT OF THE CITY COUNCIL may
19 remove a member for misconduct in office, incompetence, or willful neglect of duty.

20 (2) [The Governor shall give a member who is charged a copy of the charges
21 against the member and, with at least 10 days' notice, an opportunity to be heard publicly
22 in person or by counsel.

23 (3) If a member is removed, the Governor shall file with the Office of the
24 Secretary of State a statement of charges against the member and the Governor's findings
25 made on the charges.] IN THIS SUBSECTION, "APPOINTING OFFICER" MEANS THE
26 MAYOR OR THE PRESIDENT OF THE CITY COUNCIL.

27 (3) A MEMBER WHO IS CHARGED SHALL BE GIVEN BY THE
28 APPOINTING OFFICER WHO APPOINTED THE MEMBER A COPY OF THE CHARGES
29 AGAINST THE MEMBER AND, WITH AT LEAST 10 DAYS' NOTICE, AN OPPORTUNITY TO
30 BE HEARD PUBLICLY IN PERSON OR BY COUNSEL.

31 (4) IF A MEMBER IS REMOVED, THE APPOINTING OFFICER WHO
32 REMOVED THE MEMBER SHALL FILE WITH THE OFFICE OF THE SECRETARY OF
33 STATE A STATEMENT OF CHARGES AGAINST THE MEMBER AND THE GOVERNOR'S
34 FINDINGS MADE ON THE CHARGES.

1 12-203.

2 [In making the appointments, the Governor] THE BOARD shall designate a chair
3 from among the regular members of the Board.

4 ~~SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take~~
5 ~~effect on the taking effect of Chapter (S.B. 724) of the Acts of the General Assembly of~~
6 ~~2016. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated and of no~~
7 ~~further force and effect.~~

8 SECTION 6. AND BE IT FURTHER ENACTED, That, if Section 1 of this Act does
9 not take effect before April 12, 2016, Section 2 of this Act shall take effect on the later of
10 April 12, 2016, or the effective date of this Act, contingent on the failure of the Governor to
11 appoint, and the Senate of Maryland to confirm, four members to the Board of License
12 Commissioners for Baltimore City before April 12, 2016. If the Governor appoints, and the
13 Senate of Maryland confirms four members to the Board of License Commissioners for
14 Baltimore City before April 12, 2016, Section 2 of this Act shall be null and void without
15 the necessity of further action by the General Assembly.

16 SECTION 7. AND BE IT FURTHER ENACTED, That, if Section 1 of this Act does
17 take effect before April 12, 2016, Section 3 of this Act shall take effect April 12, 2016,
18 contingent on the failure of the Governor to appoint, and the Senate of Maryland to confirm,
19 four members to the Board of License Commissioners for Baltimore City before April 12,
20 2016. If the Governor appoints, and the Senate of Maryland confirms four members to the
21 Board of License Commissioners for Baltimore City before April 12, 2016, Section 3 of this
22 Act shall be null and void without the necessity of further action by the General Assembly.

23 SECTION 8. AND BE IT FURTHER ENACTED, That, if Section 2 of this Act takes
24 effect, Sections 1 and 3 of this Act shall be null and void without the necessity of further
25 action by the General Assembly.

26 SECTION 9. AND BE IT FURTHER ENACTED, That, if Section 3 of this Act takes
27 effect, Section 1 of this Act shall be abrogated and of no further force and effect and Section
28 2 of this Act shall be null and void without the necessity of further action by the General
29 Assembly.

30 SECTION 10. AND BE IT FURTHER ENACTED, That, if Section 2 of this Act takes
31 effect, Section 5 of this Act shall take effect on the taking effect of Chapter (S.B. 724) of
32 the Acts of the General Assembly of 2016. If Section 5 takes effect, Section 2 of this Act
33 shall be abrogated and of no further force and effect and Section 4 of this Act shall be null
34 and void without the necessity of further action by the General Assembly.

35 SECTION 11. AND BE IT FURTHER ENACTED, That, if Section 3 of this Act takes
36 effect, Section 5 of this Act shall take effect on the taking effect of Chapter (S.B. 724) of
37 the Acts of the General Assembly of 2016. If Section 5 takes effect, Section 3 of this Act

1 shall be abrogated and of no further force and effect and Section 4 of this Act shall be null
 2 and void without the necessity of further action by the General Assembly.

3 SECTION 12. AND BE IT FURTHER ENACTED, That, subject to Sections 10 and
 4 11 of this Act, Section 4 of this Act shall take effect on the taking effect of Chapter (S.B.
 5 724) of the Acts of the General Assembly of 2016. If Section 4 takes effect, Section 1 of this
 6 Act shall be abrogated and of no further force and effect and Section 5 of this Act shall be
 7 null and void without the necessity of further action by the General Assembly.

8 SECTION ~~4~~ 13. AND BE IT FURTHER ENACTED, That this Act is an emergency
 9 measure, is necessary for the immediate preservation of the public health or safety, has
 10 been passed by a yea and nay vote supported by three-fifths of all the members elected to
 11 each of the two Houses of the General Assembly and, except as provided in ~~Section 3~~
 12 Sections 6, 7, 10, 11, and 12 of this Act, shall take effect from the date it is enacted.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.