

HOUSE BILL 1095

A2

9lr2679
CF 9lr3147

By: **Talbot County Delegation**

Introduced and read first time: February 8, 2019

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Talbot County – Alcoholic Beverages – Substitute Member for Board of License**
3 **Commissioners**

4 FOR the purpose of authorizing the Governor to appoint a substitute member to the Talbot
5 County Board of License Commissioners; requiring the substitute member to serve
6 on the Board under certain circumstances; establishing the powers and duties of the
7 substitute member when serving on the Board; and generally relating to a substitute
8 member of the Talbot County Board of License Commissioners.

9 BY repealing and reenacting, without amendments,
10 Article – Alcoholic Beverages
11 Section 30–102 and 30–201
12 Annotated Code of Maryland
13 (2016 Volume and 2018 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Alcoholic Beverages
16 Section 30–202
17 Annotated Code of Maryland
18 (2016 Volume and 2018 Supplement)

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

21 **Article – Alcoholic Beverages**

22 30–102.

23 This title applies only in Talbot County.

24 30–201.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 There is a Board of License Commissioners for Talbot County.

2 30-202.

3 (a) (1) The Governor shall appoint three **REGULAR** members **AND ONE**
4 **SUBSTITUTE MEMBER** to the Board.

5 (2) The appointments shall be made:

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

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

9 (b) Each member of the Board shall be:

10 (1) a resident and voter of the county; and

11 (2) an individual of high character and integrity and of recognized business
12 capacity.

13 (c) **(1) THE SUBSTITUTE MEMBER SHALL SERVE:**

14 **(I) WHEN A REGULAR MEMBER IS ABSENT, RECUSED, OR**
15 **INCAPACITATED FOR ANY REASON; OR**

16 **(II) IF A VACANCY OCCURS.**

17 **(2) A SUBSTITUTE MEMBER:**

18 **(I) SHALL SERVE UNTIL THE REGULAR MEMBER'S ABSENCE,**
19 **RECUSAL, OR INCAPACITY ENDS OR THE VACANCY IS FILLED; AND**

20 **(II) HAS ALL THE POWERS AND DUTIES OF A REGULAR MEMBER**
21 **WHEN SERVING ON THE BOARD.**

22 **(D)** (1) The term of a member is 6 years.

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

25 **[(d)](E)** (1) The Governor shall appoint an eligible individual to fill a vacancy
26 during the remainder of the term of office of the individual originally appointed in
27 accordance with subsection (a) of this section.

1 (2) A member who is appointed after a term has begun serves for the
2 remainder of the term and until a successor is appointed and qualifies.

3 **[(e)](F)** (1) The Governor may remove a member for misconduct in office,
4 incompetence, or willful neglect of duty.

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

8 (3) If a member is removed, the Governor shall file with the Office of the
9 Secretary of State a statement of charges against the member and the Governor's findings
10 on the charges.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
12 1, 2019.