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**By: Worcester County Delegation**

Introduced and read first time: February 12, 1997

Assigned to: Economic Matters

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## A BILL ENTITLED

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 certain license fees; imposing certain conditions,  
6 restrictions, and requirements on the Board of License Commissioners and the  
7 Liquor Control Board; providing for a transition; specifying certain personnel and  
8 personnel-related matters; submitting parts of this Act to a referendum of the  
9 legally qualified voters of Worcester County; providing for the termination of  
10 portions of this Act; and generally relating to alcoholic beverages in Worcester  
11 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)

26 BY adding to

27 Article 2B - Alcoholic Beverages  
28 Section 6-203, 9-102(j)(7), and 15-201(l)  
29 Annotated Code of Maryland  
30 (1996 Replacement Volume)

31 BY repealing

2

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

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

8 **Article 2B - Alcoholic Beverages**

9 3-101.

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

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

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

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

14 3-201.

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

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

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

19 (4) The annual seven day license fee, for the tenth election district only, is  
20 [~~\$300~~] \$350.

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

22 3-301.

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

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

25 3-401.

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

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

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

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

30 5-101.

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

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

3

1 (3) The annual license fee for a seven day license, applied countywide is  
2 [~~\$275~~] \$300.

3 5-201.

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

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

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

8 (4) The annual license fee for a 7 day license, tenth election district only is  
9 [~~\$350~~] \$400.

10 5-301.

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

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

13 5-401.

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

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

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

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

18 6-201.

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

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

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

22 6-203.

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

24 (B) (1) A CLASS H BEER, WINE AND LIQUOR LICENSE SHALL BE ISSUED BY  
25 THE LICENSE ISSUING AUTHORITY OF THE COUNTY IN WHICH THE PLACE OF  
26 BUSINESS IS LOCATED. THE LICENSE AUTHORIZES THE HOLDER TO KEEP FOR SALE  
27 AND TO SELL BEER, WINE AND LIQUOR AT RETAIL AT ANY HOTEL OR RESTAURANT,  
28 AT THE PLACE DESCRIBED IN THE LICENSE, FOR CONSUMPTION ONLY ON THE  
29 PREMISES.

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

33 (C) THE ANNUAL LICENSE FEE IS:

34 (1) 6-DAY LICENSE.....\$1,700; OR

4

1 (2) 7-DAY LICENSE.....\$2,400.

2 6-301.

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

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

6 6-401.

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

8 (iii) The annual license fee for the seven-day license is [\$1,625 ]  
9 \$3,500.

10 9-102.

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

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

30 15-112.

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

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

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

5

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

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

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

8 15-201.

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

10                                (2) THE BOARD SHALL PRESENT ITS BUDGET ANNUALLY TO THE  
11 COUNTY COMMISSIONERS ON THE SAME DAY THAT THE COUNTY COMMISSIONERS  
12 PRESENT THE BUDGET FOR THE COUNTY. THE BOARD SHALL BE PRESENT AT THAT  
13 MEETING SO AS TO BE ABLE TO ANSWER ANY QUESTIONS THAT THE COUNTY  
14 COMMISSIONERS OR THE PUBLIC MIGHT HAVE.

15                                (3) IN ADDITION TO REGULAR AND SYSTEMATIC AUDITING OF ITS  
16 BOOKS AND RECORDS BY A PRIVATE AUDITING COMPANY, THE BOOKS AND  
17 RECORDS FOR THE BOARD SHALL BE AUDITED ON A REGULAR AND SYSTEMATIC  
18 SCHEDULE BY THE LEGISLATIVE AUDITOR.

19                                (4) THE BOARD SHALL ADHERE TO COUNTY PERSONNEL PRACTICES.  
20 BY WAY OF ILLUSTRATION, THE BOARD SHALL ADVERTISE FOR VACANT POSITIONS  
21 AND SELECT THE MOST QUALIFIED PERSON AND SHALL AFFORD AN EMPLOYEE ALL  
22 COUNTY TERMINATION RIGHTS.

23                                (5) THE LIQUOR CONTROL BOARD MAY NOT EXPEND ANY FUNDS IN AN  
24 ATTEMPT TO INFLUENCE THE REFERENDUM TO BE HELD IN NOVEMBER, 1998, THAT  
25 IS REQUIRED BY STATE STATUTE.

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

28                                **Article 2B - Alcoholic Beverages**

29 6-101.

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

32                                (2) (I) AS OF MAY 1, 2000, THE ANNUAL LICENSE FEE CONSISTS OF  
33 TWO PARTS:

34    1. A BASIC FEE OF \$5,000; AND

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

36                                (II) 1. THE GALLONAGE FEE IS CALCULATED ONLY ON SALES  
37 OF SPIRITUOUS LIQUORS.

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

8 (3) IF A LICENSEE UNDER THIS SECTION IS LOCATED WITHIN THE  
9 BOUNDARIES OF A MUNICIPAL CORPORATION, HALF OF THE GALLONAGE FEE  
10 SHALL BE REMITTED ANNUALLY TO THAT MUNICIPAL CORPORATION; THE  
11 REMAINING HALF SHALL BE DEPOSITED IN THE GENERAL FUNDS OF THE COUNTY.  
12 IF A LICENSEE IS NOT LOCATED IN A MUNICIPAL CORPORATION, BOTH THE BASIC  
13 AND GALLONAGE FEES SHALL BE DEPOSITED IN THE GENERAL FUNDS OF THE  
14 COUNTY.

15 (4) THE BOARD MAY ISSUE TEN LICENSES, AS FOLLOWS:

- 16 (I) TAX DISTRICT 1 (POCOMOKE CITY) .....1
- 17 (II) TAX DISTRICT 2 (SNOW HILL).....1
- 18 (III) TAX DISTRICT 3 (BERLIN).....1
- 19 (IV) TAX DISTRICT 3A (OCEAN PINES) (AS SPECIFIED IN PARAGRAPH  
20 (5) BELOW).....1
- 21 (V) TAX DISTRICT 10 (OCEAN CITY).....4
- 22 (VI) LOCATED AT THE DISCRETION OF THE BOARD AND SUBJECT  
23 TO THE APPROVAL OF THE COUNTY COMMISSIONERS.....2

24 (5) FOR PURPOSES OF THIS ARTICLE ONLY, TAX DISTRICT 3A IS  
25 DEFINED AS ALL OF TAX DISTRICT 3A PLUS THAT LAND THAT IS WITHIN 2,000 FEET  
26 TO THE WEST SIDE OF MARYLAND RT. 589, WHICH LIES WITHIN TAX DISTRICT 3 BUT  
27 WHICH IS INCLUDED WITHIN THIS TAX DISTRICT FOR LICENSURE PURPOSES. THE  
28 2,000-FOOT AREA SHALL BEGIN AT RT. 113 ON THE NORTH AND END AT RT. 50 ON THE  
29 SOUTH.

30 6-201.

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

- 33 [(i)] 1. A. [Six-day licenses] A SIX-DAY BASIC LICENSE-- \$1,750;
- 34 [and] OR
- 35 [(ii)] B. [Seven-day licenses] A SEVEN-DAY BASIC LICENSE --
- 36 \$2,500; AND

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

38 (II) 1. THE GALLONAGE FEE IS CALCULATED ONLY ON SALES  
39 OF SPIRITUOUS LIQUORS.

7

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

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

15 6-203.

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

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

18 [(2)] 2. A 7-day BASIC license.....\$2,400; AND

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

20 (2) (I) THE GALLONAGE FEE IS CALCULATED ONLY ON SALES OF  
21 SPIRITUOUS LIQUORS.

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

29 6-301.

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

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

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

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

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

36 (II) 1. THE GALLONAGE FEE IS CALCULATED ONLY ON SALES  
37 OF SPIRITUOUS LIQUORS.

8

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

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

15 6-401.

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

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

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

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

21                                   (III) 1. THE GALLONAGE FEE IS CALCULATED ONLY ON SALES  
22 OF SPIRITUOUS LIQUORS.

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

30                                   [(vi) All licensees shall purchase all wines and liquors, except light wine  
31 and beer, from the Liquor Control Board for Worcester County. They shall be charged 85  
32 percent of the retail price or any special sale price or discount price, whichever is lower,  
33 set by the Board for wines and liquors. However, the price the Board charges to the  
34 licensees may not be lower than 10 percent above the cost the Liquor Board must pay for  
35 the merchandise to wholesalers. All licensees may purchase beer and light wine from  
36 licensed wholesalers.]

37 9-102.

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



9

1 15-201.

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

4 [(iv) Worcester County ..... 4 years ]

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

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

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

11 15-202.

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

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

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

17 (i) Harford County; AND

18 (ii) Somerset County[; and

19 (iii) Worcester County].

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

22 15-203.

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

25 (i) Somerset; and

26 (ii) Worcester].

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

31 15-205.

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

10

1 15-207.

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

3 (2) All net profits arising from the operation of these dispensaries are first  
4 applied towards the payment of any and all sums advanced to or borrowed by the Liquor  
5 Control Board. After these sums are paid, the Board is authorized to create and maintain  
6 a reserve fund not to exceed \$300,000 on June 1, 1995. The reserve fund is maintained to  
7 provide adequate working capital and to meet any losses that may be sustained by the  
8 Board in the operation of these dispensaries.

9 (3) Fifty percent of all net profits in excess of the reserve fund shall be paid  
10 to the County Commissioners of Worcester County on or before June 1 each year. The  
11 remaining 50 percent shall be paid on or before June 1 each year to the mayors and city  
12 councils of Berlin, Ocean City, Pocomoke City, and Snow Hill in proportion to the net  
13 profits on total sales of the dispensaries situated in each of these municipalities. For  
14 purposes of calculating the municipalities' share and if the County Commissioners  
15 consent to it for each municipality, a radius of 2 miles outside of the municipal boundaries  
16 shall be considered as being within the corporate limits. In the rural areas outside of the  
17 2-mile radius of those municipalities, the net profits shall go to the general funds of  
18 Worcester County.

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

21 15-210.

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

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

26 **Article 2B - Alcoholic Beverages**

27 15-201.

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

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

11

1           **Article 2B - Alcoholic Beverages**

2 15-201.

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

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

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

12           **Article 2B - Alcoholic Beverages**

13 6-101.

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

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

20                       (I) A BASIC LICENSE FEE OF \$5,000; AND

21                       (II) ADDITIONAL LICENSE FEES IN EACH TAX DISTRICT:

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

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

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

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

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

28                               6. AT LARGE: \$35,000.

29          SECTION 6. AND BE IT FURTHER ENACTED, That before Sections 2, 3, 4,  
30 and 5 of this Act become effective they shall first be submitted to a referendum of the  
31 legally qualified voters of Worcester County at the general election to be held in  
32 November of 1998. The cost of the special election, if any, shall be paid by the County  
33 Commissioners. The County Commissioners and the Worcester County Board of  
34 Supervisors of Elections shall do those things necessary and proper to provide for and  
35 hold the referendum required by this section. If a majority of the votes cast on the  
36 question are "For the referred law" the provisions of Section 2 of this Act shall become  
37 effective on May 1, 1999, and the provisions of Sections 3, 4, and 5 of this Act shall  
38 become effective on January 1, 1999; but if a majority of the votes cast on the question are

12

1 "Against the referred law" the provisions of Sections 2, 3, 4, and 5 of this Act are of no  
2 effect and null and void.

3           SECTION 7. 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 3 of this Act shall become operable and in full force and effect on January 1, 1999, and  
7 shall remain in effect until July 1, 1999, after which the provisions shall be null and void  
8 without the necessity of further action by the General Assembly.

9           SECTION 8. AND BE IT FURTHER ENACTED, That, should Sections 2, 3, 4,  
10 and 5 of this Act be approved by the qualified voters of Worcester County at the  
11 referendum for which provision is made by Section 6 of this Act, the provisions of Section  
12 5 of this Act shall become operable and in full force and effect on January 1, 1999, and  
13 shall remain in effect until April 30, 2000, after which the provisions shall be null and void  
14 without the necessity of further action by the General Assembly.

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