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**By: Senator Della**

Introduced and read first time: January 30, 1997

Assigned to: Economic and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Alcoholic Beverages**  
3 **(Board of License Commissioners - Staff)**4 FOR the purpose of specifying that the Executive Secretary of the Baltimore City Board  
5 of License Commissioners is the administrative officer of the Board; clarifying the  
6 supervisory and other duties of the Executive Secretary and Deputy Secretary of the  
7 Board; specifying the qualifications for the positions of Executive Secretary and  
8 Deputy Secretary; providing for personnel decisions and salary levels; specifying a  
9 maximum period a person may serve on the Board; and generally relating to  
10 alcoholic beverages in Baltimore City.11 BY repealing and reenacting, with amendments,  
12 Article 2B - Alcoholic Beverages  
13 Section 15-112(e)  
14 Annotated Code of Maryland  
15 (1996 Replacement Volume)16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:18 **Article 2B - Alcoholic Beverages**

19 15-112.

20 (e) (1) [In] THE PROVISIONS OF THIS SUBSECTION APPLY ONLY IN  
21 Baltimore City [(1) no].22 (2) NO commissioner, or employee of the Board shall have any interest,  
23 direct or indirect, either proprietary or by means of any loan, mortgage or lien, or in any  
24 other manner, in or on any premises where alcoholic beverages are manufactured or sold;  
25 nor shall he have any interest, direct or indirect, in any business wholly or partially  
26 devoted to the manufacture or sale of alcoholic beverages, or own any stock in any  
27 corporation which has any interest, proprietary or otherwise, direct or indirect, in any  
28 premises where alcoholic beverages are manufactured or sold or in any business wholly or  
29 partially devoted to the manufacture or sale of alcoholic beverages, or hold any other  
30 public office or employment, federal, State or local.

1 [(2)] (3) Every employee of said Board shall devote his whole time and  
 2 attention to the business of the Board during the hours designated by the Board for the  
 3 performance of his or her official duties, and shall not engage in any occupation, business  
 4 or profession in any way connected or associated, directly or indirectly, with the  
 5 manufacture or sale of alcoholic beverages and shall transact no business of any kind  
 6 whatsoever beyond his or her official duties with any licensee, or in connection with the  
 7 operation of any establishment licensed for the manufacture or sale of alcoholic  
 8 beverages. Not more than eighteen persons shall be employed at any one time by the  
 9 Board on a part-time basis. Any employee of said Board who violates any of the  
 10 provisions of this section shall be removed.

11 [(3)] (4) No commissioner or employee of the Board shall solicit or receive  
 12 directly or indirectly any commission, remuneration or gift whatsoever from any person,  
 13 or corporation engaged in the manufacture or sale of beer or other alcoholic beverages,  
 14 nor from any agent or employee of such person or corporation, or from any licensee,  
 15 licensed under the provisions of this article. No person or corporation engaged in the  
 16 manufacture or sale of beer or other alcoholic beverages, nor any agent or employee of  
 17 such person or corporation, and no licensee licensed under the provisions of this article,  
 18 shall, either directly or indirectly, offer to pay any commission, profit or remuneration or  
 19 make any gift to any commissioner or employee of the Board or to anyone on behalf of  
 20 such commissioner or employee of said Board.

21 [(4)] (5) (I) The [chairman of said] EXECUTIVE SECRETARY OF THE  
 22 Board [shall be the] IS THE administrative officer [thereof] and [charged with the duty  
 23 of enforcing] SHALL ENFORCE the provisions of this article. [It shall be his duty  
 24 personally to supervise]

25 (II) THE EXECUTIVE SECRETARY OR THE DEPUTY SECRETARY  
 26 SHALL:

27 1. SUPERVISE the activities and investigations of the [ several]  
 28 inspectors and other employees of the Board[. He shall examine];

29 2. EXAMINE the location and general character of the licensees  
 30 in [said] THE City; and [make]

31 3. MAKE recommendations to the Board concerning zoning of  
 32 licensees, methods of enforcement, and promulgation of [rules and] regulations to carry  
 33 out the purposes of this article.

34 (III) EITHER THE EXECUTIVE SECRETARY OR THE DEPUTY  
 35 SECRETARY SHALL BE A MEMBER OF THE BAR OF THIS STATE. THE OTHER OFFICER  
 36 SHALL HAVE EXPERTISE IN OFFICE ADMINISTRATION PRACTICES. NEITHER THE  
 37 EXECUTIVE SECRETARY NOR THE DEPUTY SECRETARY MAY BE MEMBERS OF THE  
 38 CITY CLASSIFIED SERVICE.

39 (IV) THE EXECUTIVE SECRETARY SHALL RECOMMEND TO THE  
 40 BOARD ALL PERSONNEL DECISIONS AND THE BOARD SHALL MAKE THE FINAL  
 41 DETERMINATION OF THOSE RECOMMENDATIONS. THE OFFICE OF THE  
 42 COMPTROLLER OF THIS STATE SHALL APPROVE IN WRITING ALL CHANGES IN  
 43 SALARY LEVELS.

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1                   (6) A MEMBER OF THE BOARD OF LICENSE COMMISSIONERS MAY NOT  
2 SERVE MORE THAN FOUR CONSECUTIVE 2-YEAR TERMS OF OFFICE, FOR A TOTAL  
3 NUMBER OF 8 YEARS.

4                   [(5)] (7) Rules and regulations adopted by the Board in said City shall be  
5 published and distributed to such licensees as may be affected thereby. The Board in said  
6 City shall have the power to require any licensee to display prominently in his place of  
7 business any rule or regulation of said Board, or any excerpt or statement from this  
8 article.

9                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 1997.