
By: **Senators Mooney and Brinkley**

Introduced and read first time: February 18, 2005

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Frederick County - Alcoholic Beverages - Inspectors**

3 FOR the purpose of authorizing the Board of License Commissioners of Frederick
4 County to employ part-time alcoholic beverages inspectors; specifying the
5 powers of the part-time inspectors; requiring the Board of County
6 Commissioners to set the compensation of the part-time inspectors; clarifying
7 that the Governor is required to appoint one full-time alcoholic beverages
8 inspector; and generally relating to alcoholic beverages inspectors in Frederick
9 County.

10 BY repealing and reenacting, with amendments,
11 Article 2B - Alcoholic Beverages
12 Section 15-103(d)
13 Annotated Code of Maryland
14 (2001 Replacement Volume and 2004 Supplement)

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

17 **Article 2B - Alcoholic Beverages**

18 15-103.

19 (d) (1) The Governor shall appoint 1 FULL-TIME alcoholic beverages
20 inspector, with the advice and consent of:

21 (i) The Senate; or

22 (ii) If there is no resident Senator, then with the consent of the
23 members of the Frederick County delegation of the General Assembly.

24 (2) To qualify for appointment as an alcoholic beverages inspector, a
25 person:

26 (i) Shall be of high moral character;

- 1 (ii) Shall possess a sound reputation for sobriety, honesty, and
2 integrity; and
- 3 (iii) Shall devote full time to the duties of the office.
- 4 (3) (i) The term of an inspector is 5 years.
- 5 (ii) An inspector who is appointed after a term has begun serves
6 only until a successor is appointed.
- 7 (4) The Governor may remove an inspector with the advice and consent
8 of:
- 9 (i) The Senate; or
- 10 (ii) If there is no resident Senator, then with the consent of the
11 members of the Frederick County delegation of the General Assembly.
- 12 (5) Grounds for removal are:
- 13 (i) Incompetence;
- 14 (ii) Misconduct while performing the duties as an inspector;
- 15 (iii) Neglect of a duty required by law; or
- 16 (iv) Unprofessional or dishonorable conduct in performing the
17 duties as an inspector.
- 18 (6) (i) An inspector shall receive an annual salary of \$35,000, be
19 reimbursed for reasonable expenses, and receive mileage at the standard rate set by
20 the County Commissioners.
- 21 (ii) Mileage does not include travel to and from the inspector's
22 home and office.
- 23 (7) An inspector shall:
- 24 (i) Possess the power of a peace officer of this State with respect to
25 the enforcement of the alcoholic beverages laws of Frederick County;
- 26 (ii) Make monthly reports in writing to the Board covering the
27 activities and setting forth any complaints or violations that may have been observed
28 or reported;
- 29 (iii) Assist the Board in enforcing the alcoholic beverages laws; and
- 30 (iv) Have any other duties as the Board may prescribe.
- 31 (8) (I) WITH THE APPROVAL OF THE BOARD OF COUNTY
32 COMMISSIONERS, THE BOARD OF LICENSE COMMISSIONERS MAY EMPLOY AS MANY

1 ADDITIONAL PART-TIME ALCOHOLIC BEVERAGES INSPECTORS AS IT CONSIDERS
2 NECESSARY.

3 (II) PART-TIME ALCOHOLIC BEVERAGES INSPECTORS SHALL HAVE
4 THE SAME POWERS AND DUTIES AS THE FULL-TIME INSPECTOR.

5 (III) THE COUNTY COMMISSIONERS SHALL SET THE
6 COMPENSATION OF PART-TIME ALCOHOLIC BEVERAGES INSPECTORS.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2005.